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ILLINOIS

REGISTER

RULES
OF GOVERNMENTAL
AGENCIES



Volume 24, Issue 24
June 09, 2000

Pages 7,936 – 8,172

Index Department
Administrative Code Div.
111 East Monroe Street
Springfield, IL 62756
(217) 782-7017
<http://www.sos.state.il.us>



Printed on recycled paper

PUBLISHED BY JESSE WHITE • SECRETARY OF STATE

ILLINOIS REGISTER

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EDITOR'S NOTE: The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indices are as follows:

Issue 16 - April 14, 2000: Data Through March 31, 2000
Issue 29 - July 14, 2000: Data Through June 30, 2000
Issue 42 - October 13, 2000: Data Through September 30, 2000
Issue 3 - January 19, 2001: Data Through December 31, 2000 (Annual)

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

REGISTER PUBLICATION SCHEDULE 2000

Issue #	Copy Due by 4:30 p.m.	Publication Date	Issue #	Copy Due by 4:30 p.m.	Publication Date
Issue 1	December 27, 1999	January 7, 2000	Issue 28	June 26	July 7
Issue 2	January 4, 2000*	January 14	Issue 29	July 3	July 14
Issue 3	January 10	January 21	Issue 30	July 10	July 21
Issue 4	January 18*	January 28	Issue 31	July 17	July 28
Issue 5	January 24	February 4	Issue 32	July 24	August 4
Issue 6	January 31	February 14**	Issue 33	July 31	August 11
Issue 7	February 7	February 18	Issue 34	August 7	August 18
Issue 8	February 14	February 25	Issue 35	August 14	August 25
Issue 9	February 22*	March 3	Issue 36	August 21	September 1
Issue 10	February 28	March 10	Issue 37	August 28	September 8
Issue 11	March 6	March 17	Issue 38	September 5*	September 15
Issue 12	March 13	March 24	Issue 39	September 11	September 22
Issue 13	March 15	March 26	Issue 40	September 18	September 29
Issue 14	March 20	March 31	Issue 41	September 25	October 6
Issue 15	March 27	April 7	Issue 42	October 2	October 13
Issue 16	April 3	April 14	Issue 44	October 10*	October 20
Issue 17	April 10	April 21	Issue 43	October 16	October 27
Issue 18	April 17	April 28	Issue 44	October 23	November 3
Issue 19	April 24	May 5	Issue 45	October 30	November 13**
Issue 20	May 1	May 12	Issue 46	November 6	November 17
Issue 21	May 8	May 19	Issue 47	November 13	November 27**
Issue 22	May 15	May 26	Issue 48	November 20	December 1
Issue 23	May 22	June 2	Issue 49	November 27	December 8
Issue 24	May 30*	June 9	Issue 50	December 4	December 15
Issue 25	June 5	June 16	Issue 51	December 11	December 22
Issue 26	June 12	June 23	Issue 52	December 18	December 29
Issue 27	June 19	June 30	Issue 1	December 26*	January 5, 2001

* Tuesday 12 noon deadline following a state holiday.

** Monday publication date following a state holiday.

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: State Employee Benefit Administration

2) Code Citation: 80 Ill. Adm. Code 330

3) Section Numbers:
330.3 Proposed Action:
Amend
330.10 Amend

4) Statutory Authority: Implementing and authorized by 30 ILCS 105/14

5) A Complete Description of the Subjects and Issues Involved: Effective January 1, 1998, the Finance Act was amended to preclude payment for unused sick leave earned thereafter. Compensable sick leave became that leave earned between January 1, 1984 and December 31, 1997. Consistent with that legislation (PA 90-65), the Department is proposing these amendments.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: Rulemaking does not affect units of local government

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may submit written comments within 45 days of the date of publication to:

Stephen W. Seiple
720 Stratton Office Building
Springfield IL 62706
(217) 782-9669

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: January 2000

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF PROPOSED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND

POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 330

STATE EMPLOYEE BENEFIT ADMINISTRATION

Section

330.1 Definitions

330.3 Entitlement

330.5 Computation of Overtime Days

330.10 Computation of Sick Leave Days

330.15 Computation of Vacation Days

330.30 Computation of Daily Salary Rate

330.50 Interpretation and Application of this Part

AUTHORITY: Implementing and authorized by Section 14a of the State Financing Act [30 ILCS 105/14a].

SOURCE: Emergency rule adopted at 8 Ill. Reg. 357, effective January 1, 1984, for a maximum of 150 days; adopted at 8 Ill. Reg. 7795, effective May 23, 1984; amended at 24 Ill. Reg. _____, effective _____.

Section 330.3 Entitlement

Upon termination of employment from State service an employee, or the employee's estate, is entitled to lump sum payment for accrued vacation and overtime and for accrued sick leave days earned between January 1, 1984 and December 31, 1997 ~~granted on or after January 1, 1984~~.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 330.10 Computation of Sick Leave Days

For purpose of this Part, sick leave days eligible for lump sum payment shall be computed by determining the number of days, or fractions thereof, granted to the employee between ~~on or after~~ January 1, 1984 and December 31, 1997, subtracting the number of qualifying days used ~~between those since--that~~ dates ~~date~~ as determined by Agency Rule, policy or labor agreement, and then dividing the resulting quantity by 2.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Camping on Department of Natural Resources Properties2) Code Citation: 17 Ill. Adm. Code 1303) Section Numbers:

130.20

130.40

130.50

130.70

130.80

130.100

130.130

130.140

130.150

Proposed Action:

Amendment

Amendment

Amendment

Amendment

Amendment

Amendment

Amendment

Amendment

4) Statutory Authority: Implementing and authorized by Sections 1 and 4(1) and (5) of the State Parks Act [20 ILCS 835/1 and 4(1) and (5)], and by Sections 63a23 and 63a28 of the Civil Administrative Code of Illinois [20 ILCS 805/63a23 and 63a28].

5) A Complete Description of the Subjects and Issues Involved: Add language to clarify regulations and add a definition for class AA Sites.

6) Will this rulemaking replace any emergency amendment currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price
Department of Natural Resources
524 S. Second Street
Springfield IL 62701-1787
217/782-1809

12) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance: None

C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rule was summarized: July 1999

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER a: LANDS

PART 130

CAMPING ON DEPARTMENT OF NATURAL RESOURCES PROPERTIES

Section	Location
130.10	Purpose of Campground
130.20	Classification of Camps by Equipment Used - Definitions
130.30	Definition of a Camp
130.40	Registrations
130.50	Permits, Extensions and Time Limits
130.60	Fees and Charges
130.70	Refunds
130.80	Check-in and Check-out Times
130.90	Unoccupied Camps
130.100	Vehicles per Camp (Refer to 17 Ill. Adm. Code Section 130.30)
130.110	Youth Group (Boy Scouts, Girl Scouts, Explorers, church groups, or others)
130.120	Organization Group Camps (charter organizations, ROTC, private clubs or others)
130.130	Campground Host Program
130.135	Use of Campground
130.140	Violation of Rule Enaction
130.150	

AUTHORITY: Implementing and authorized by Sections 1 and 4(1) and (5) of the State Parks Act [20 ILCS 835/1 and 4(1) and (5)], and by Sections 63a23 and 63a28 of the Civil Administrative Code of Illinois [20 ILCS 805/63a23 and 63a28].

SOURCE: Adopted at 4 Ill. Reg. 7, p. 110, effective February 4, 1980; emergency amendment at 5 Ill. Reg. 5707, effective June 1, 1981 for a maximum of 150 days; codified at 5 Ill. Reg. 10623; amended at 5 Ill. Reg. 14568, effective December 9, 1981; amended at 6 Ill. Reg. 3840, effective March 31, 1982; amended at 6 Ill. Reg. 9626, effective July 21, 1982; amended at 6 Ill. Reg. 14835, effective November 24, 1982; amended at 7 Ill. Reg. 5870, effective April 22, 1983; amended at 8 Ill. Reg. 5647, effective April 16, 1984; amended at 9 Ill. Reg. 6173, effective April 23, 1985; amended at 9 Ill. Reg. 11594, effective July 16, 1985; amended at 10 Ill. Reg. 9777, effective May 21, 1986; amended at 10 Ill. Reg. 13244, effective July 28, 1986; amended at 11 Ill. Reg. 9506, effective May 15, 1987; amended at 14 Ill. Reg. 12402, effective July 20, 1990; emergency amendment at 16 Ill. Reg. 7925, effective May 11, 1992, for a maximum of 150 days; emergency expired October 8, 1992; amended at 16 Ill. Reg. 15982, effective October 2, 1992; amended at 18 Ill. Reg. 1126, effective January 18, 1994; amended at 19 Ill. Reg. 6462, effective April 28, 1995; amended at 20 Ill. Reg. 6683, effective May 6, 1996; amended at 21 Ill. Reg.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

9034, effective June 26, 1997; amended at 22 Ill. Reg. 3076, effective January 23, 1998; amended at 22 Ill. Reg. 11781, effective June 24, 1998; amended at 23 Ill. Reg. 8376, effective July 7, 1999; amended at 24 Ill. Reg. 1634, effective January 13, 2000; amended at 24 Ill. Reg. _____, effective _____.

Section 130.20 Purpose of Campground

Campgrounds on lands managed by the Department of Natural Resources are established for the convenience and enjoyment of outdoor recreation by the visiting public. Illinois Department of Natural Resources' campgrounds are not places for permanent or semi-permanent residences, bases for operations or a business, or facilities for non-camper residences. All campground amenities are for the sole purpose of registered camping parties (i.e., showers, dump stations, dumpsters, etc.).

(Source: Amended at 24 Ill. Reg. _____, effective _____.)

Section 130.40 Definition of a Camp

- a) "Camp" means a single family or group occupying one site that is a designated individual site within a departmentally managed site, established and maintained for the sole purpose of camping, to include the use of tents, trailers or any other type of camping device shelter.
- b) A "Single Family" consists of either or both parents and unmarried children. Other family members will be considered as part of the family as long as they occupy the same shelter, but not to exceed a total of 4 adults (18 years of age or older).
- c) The "Single Group" consists of unrelated adults (18 years of age or older) with or without children occupying the same shelter. This group would not exceed 4 occupants. (Except for Rent-A-Camp sites with an extra large tent which would not exceed 8 occupants and a campground cabin would not exceed 6 occupants.)
- d) A "Camp Shelter" is the portable equipment used by the single family or group for bedding and housing. It may consist of sleeping-bag, jungle-hammock, station-wagon, tent, trailer, bus, tarp, car or boat.
- e) If more than one camp shelter is required for the single family or group, they shall occupy separate camps. (Minor children (under 18) sleeping in sleeping bags or in a tent outside the family shelter are considered occupants sharing the same shelter); or a group of no more than 4 occupants may occupy up to 2 or 4 one-man tents on a single campsite.
- f) In no case will 2 or more tent trailers, travel trailers, self-propelled mobile campers, pick-up campers, or any combination thereof be considered as a single camp.
- g) Where campgrounds are laid out in defined sites, not more than one

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

camp will be permitted on a site. Where campgrounds are not laid out in sites, the number of camps will be determined by the capacity of the existing sanitary facilities, parking areas, soil and turf conditions, potential social conflicts between campers due to crowding, and similar factors as determined by department staff.

(Source: Amended at 24 Ill. Reg. _____, effective _____.)

Section 130.50 Registrations

- a) A permit will be issued and fees collected at the time the camp is established or as soon as possible thereafter (see Sections 130.70 and 130.80). A responsible adult (18 years of age or older) from the camping party must register for the party and thereby acknowledge compliance with the rules and regulations of the park for the party and establish camping with camp shelter immediately.
- b) The camping attendant has the authority to assign sites.
- c) ~~A responsible adult (18 years of age or older) from the camping party must register for the party and thereby acknowledge compliance to the rules and regulations of the park for the party.~~
- ~~d) Curfew: the provisions of Section 1 of the Child Curfew Act [720 ILCS 555/1] with reference to curfew for persons under the age of 17 years are in effect on Department of Natural Resources' properties.~~
- ~~e) The camp shelter or any other camping equipment shall not be brought into the park prior to the arrival of the camping party.~~
- ~~d)f) No camping equipment shall be placed on any campground site while that site is occupied by another camping party. A person acquiring a permit must have camp shelter at the time of registration and must occupy the site at that time.~~
- ~~e)g) In "emergency situations", the camping attendant may designate an area and charge a fee commensurate with facilities provided (see Section 130.70).~~
- ~~f)h) Reservations will be accepted at selected sites offering reservation service. A \$5 non-refundable fee must be submitted for each site reserved. The reservation fee shall be the applicable first night's camping and utility fee in addition to the \$5 per campsite non-refundable fee and is required at the time reservation is made for individual campsite reservations. The reservation fee insures that a reserved campsite will be held until 3:00 p.m. of the next day assuring reservation holders of a campsite in the event of late arrival.~~

(Source: Amended at 24 Ill. Reg. _____, effective _____.)

Section 130.70 Fees and Charges

DEPARTMENT OF NATURAL RESOURCES

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- a) The full amount of the camping fee and, if applicable, the utility fee shall be collected at the time the permit is issued. If checks are taken, they shall be made payable to the Illinois Department of Natural Resources and the site identified. Camping fees vary in accordance with the degree of campground development and type of facilities available effective May 11, 1992 as follows:

- 1) Spring - Summer Camping (May 1 through September 30)
 - A) Class AA Sites: Camping fee of \$12 per night per site, \$3 utility fee. Sites having availability to showers, electricity, water hookups, sewer hookups, and vehicular access.
 - B) Class A Sites: Camping fee of \$8 per night per site, \$3 utility fee. Sites having availability to showers, electricity and vehicular access.
 - C) Class B-E Sites: Camping fee of \$7 per night per site, \$3 utility fee. Sites having availability to electricity and vehicular access.
 - D) Class B-S Sites: Camping fee of \$8 per night per site. Sites having availability to showers and vehicular access.
 - E) Class C Sites: Camping fee of \$7 per night per site. Sites having vehicular access or tent camp/primitive sites (walk-in or backpack) having availability to showers.
 - F) Class D Sites: Camping fee of \$6 per night per site. Tent camping or primitive sites with no vehicular access.
 - G) Youth Group Camping: \$1 per person, minimum daily camping fee of \$10.
 - H) Adult Group Camping: \$299 per person, minimum daily camping fee of \$20999.
 - I) Each member of an organized group utilizing facilities furnished at Dixon Springs State Park and Pere Marquette State Park shall pay a fee of \$4 per night. At Dixon Springs, a deposit of \$40 will be required before confirmation of a reservation. At Pere Marquette, a deposit of \$100 will be required before confirmation of a reservation. The deposits will be credited to the total camping fee. Fees for day use of the group camps at Dixon Springs and Pere Marquette shall be \$45 per day.
 - J) Rent-A-Camp Sites will be made available at designated state parks and recreational areas throughout the department's statewide system. Rent-A-Camp Tent areas will provide, at additional fees of \$8 and \$12 per night, one large tent (approximately 10' x 13') or one extra large tent (approximately 14' x 14'), respectively (erected), with wood floor, one charcoal grill, one picnic table, one trash barrel, and either 4 sleeping cots per large tent or 8 sleeping cots per extra large tent. The total overnight fee for a Rent-A-Camp Tent will be based on the basic fees of \$8 or \$12 per night in addition to the fee for the Camp A

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Campsite.

Rent-A-Camp Tent at Class A Sites:
\$8 or \$12 plus \$3 utility fee and \$8 camping fee per night per site at all sites having availability to showers, electricity and vehicular access.

K) Rent-A-Camp Cabin areas will provide, at an additional fee of \$24 per night, one 2-bedroom cabin with 2 bunk beds, one full-sized bed, ceiling fans, electric heaters, table with chairs, one charcoal grill, one picnic table, and one trash barrel. The total overnight fee for a Rent-A-Camp Cabin will be based on the basic fee of \$24 per night in addition to the fee for the class of the camping site on which the Rent-A-Camp Cabins are located.

Rent-A-Camp Cabins at Class A Sites:

\$24 cabin rental plus \$3 utility fee and \$8 camping fee per night, per site at all sites having availability to showers and vehicular access.

L) A \$5 per campsite non-refundable fee must be remitted at those facilities offering reservation services. This fee applies to reservations for group campsites as well as individual site reservations and individual Rent-A-Camp Cabin and individual Rent-A-Camp Tent reservations. In addition to the \$5 non-refundable fee, the first night's camping and utility fee is required at the time reservations are made for individual campsite reservations.

The Rent-A-Camp Cabin and Tent reservation fee for each cabin/tent will be the applicable first night's cabin/tent rental, camping and utility fees if applicable, in addition to the \$5 per campsite non-refundable reservation fee, and is required at the time reservations are made for individual Rent-A-Camp Cabin and Tent campsites.

2) Fall - Winter Camping (October 1 through April 30)

- A) As long as buildings, water and electrical service are available, regardless of the date, the regular camping fee will apply.
- B) When cold weather requires closing down buildings and shutting off water in Class AA, A or B-S campgrounds, the fee shall be reduced commensurate with the services and facilities available for use.
- C) The fee for primitive campsites shall be \$6 per site. When a change in facilities is made and a campsite is reclassified, the fee for a site will change automatically.

b) Exceptions: Employees, Concessionaires, and Special Legislation

- 1) Except for temporary employees of the Department of Natural Resources who qualify and are placed in the campground host program at approved camping sites, employees of the Department of Natural Resources or any other State agency, regardless of their official status, will be required to pay the established camping

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fee.

2) The concessionaire, manager, or a responsible employee designated by the concessionaire will not be charged the regular camping fee. Rent will be paid at the rate established by the Department or pursuant to the concession lease.

3) An Illinois resident age 62 or older, or a person who has a Class 2 disability as defined in Section 4A of the Illinois Identification Card Act [15 ILCS 335/4A] or a disabled veteran, or a former prisoner of war as defined in Section 5 of the Department of Veterans Affairs Act [20 ILCS 2805/5], is entitled to the following camping fee provisions, upon qualifying, which will allow the spouse or minor (under 18) children, or minor grandchildren to be included in the camping party. All other members must be registered and pay the regular camping fee for the facilities provided.

A) Illinois residents age 62 or older will be charged one-half the established camping fee on any Monday, Tuesday, Wednesday or Thursday, at Class A and B sites but must pay the entire established camping fee on all sites on any Friday, Saturday or Sunday, and, if at a site with utilities, must pay the entire utility fee for each day of camping. Verification of age may be made by any document required by law to establish proof of age and date of birth and issued by a federal or state governmental agency. No fee on Class C and D sites Monday through Thursday.

B) Illinois residents who have a Class 2 disability and present a current Illinois Disabled Person Identification Card issued by the Secretary of State will be charged one-half the established camping fee for Class A and B sites on any Monday, Tuesday, Wednesday, or Thursday, but must pay the entire established camping fee for any Friday, Saturday or Sunday, and, if at a site with utilities, must pay the entire utility fee for each day of camping. No fee on Class C and D sites.

C) An Illinois resident who is a disabled veteran or former prisoner of war may camp without being charged a camping fee, but if at a site with utilities, must pay the entire utility fee for each day of camping. An individual wishing to qualify for free camping under the provisions stated above must be able to submit the appropriate document issued by the Illinois Department of Veterans' Affairs (see 20 ILCS 2805/5).

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 130.80 Refunds

DEPARTMENT OF NATURAL RESOURCES

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- a) A refund of camping and utility fees for unused time shall be made, within 7 days after departure, upon the request of the registered camper. No personal check refunds shall be made sooner than 10 days after the check has been deposited to insure clearance. Refunds will be made in the field out of current cash receipts. Refunds for Camper's Permit will be prepared and appropriate copies submitted to accounting.
- b) Refund forms must be completed whenever a camper requests a refund for the unused portion of this camping permit.
- c) The person requesting the refund must show identification at the time of the refund.
- d) The camper's copy of the permit must be surrendered at the time of the refund.
- e) Rent-A-Camp reservation fees will not be refunded by the Department.
- f) No refunds will be made for reservation fees unless the campground is closed by the Department.
- g) The deposit required for organized group camps at Pere Marquette and Dixon Springs will be non-refundable unless notice of cancellation is received by 30 days prior to reservation date.
- h) There is no refund of the first night's cabin/tent fee or camping and utility fee made as part of a campsite reservation that is canceled less than 3 days prior to the date of arrival.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 130.100 Unoccupied Camps

a) A camper may leave his camp unoccupied at his own risk for no more than 24 hours during the period between May 1 and September 30. The permit will be revoked for any camp which is continuously vacant for longer than 24 hours. No refund will be issued in this case.

b) During the period between October 1 and April 30, a camper may leave his camp unoccupied at his own risk by paying the camping fee and, if at a site with utilities, the utility fee for the entire period covered by the permit, within the limits set by Section 130.60), when notification has been given to the site superintendent.

c) A camp is deemed to have been abandoned if a camper does not appear to remove his camping equipment within 24 hours of the expiration of his camping permit. When a camp is abandoned, staff will attempt to call the owner at the phone number associated with the license plate number of the camping vehicle. Following this effort, the camp equipment will be inventoried by park staff with an authorized peace officer and it will be removed to a place for safeguarding in the maintenance area for storage. If the owner cannot be located within 30 days, it will be sent to the Law Enforcement Division of the Department for disposal under the rules of abandoned property. Law Enforcement Disposition of Property Act [625 ILCS 1030] and the

DEPARTMENT OF NATURAL RESOURCES

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Illinois Vehicle Title and Registration Law [625 ILCS 5/Ch. 4, Art. II].

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 130.130 Organization Group Camps (charter organizations, ROTC, private clubs or others)

- a) The organized group camping areas are available for camping without showers or electricity. Other forms of camps will be placed in the appropriate sites on an individual and equal basis with other campers. An organized group camp is a group of 10 or more adults (18 years of age or older) with or without children.
- b) The regular camping fee will be charged on the basis of: \$293-00/person, or a minimum of \$20930-00 a day.
- c) If the organized group camping area is unavailable, the organization will be accommodated only as individual campers and will use the regular campgrounds on an equal basis with other campers. The camping fee and utility fee applicable to the campsite classification will be charged for each campsite used by the group.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 130.140 Use of Campground

- a) Campsites shall not be used for large group gatherings or parties.
- b) The use of a registered motor vehicle in a campground is only for the purpose of establishing a camp and for transportation in and out of the campground.
- c) Quiet hours shall prevail in the campground between 10:00 p.m. and 7:00 a.m. During this time no noise or light shall be emitted beyond the individual's immediate campsite that would be disturbing to others as determined by Department personnel. ~~Generators, machinery, or mechanical equipment, including radios, 8-B, 15, phonographs, or television devices, shall not emit sound or light outside the individual's immediate campsite or pad after 10:00 p.m. or before 7:00 a.m.; daily that would be disturbing to other campers. No person shall at any time use outside electronic equipment or electrical speakers at a voice which emits sound beyond the immediate camp or picnic site without specific permission of the Site Superintendent.~~
- d) Fires are allowed in stoves or designated areas only. Large bonfires are not permitted without permission of the Site Superintendent.
- e) Pets - The camper is responsible for all dogs, cats or other small animals under his ownership or care. No pets will be allowed in the interior of Rent-A-Camp Cabins. All animals must be on a leash not to exceed 10 feet. All leashed animals shall be at all times under the

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direct control of the owner or person designated by the owner. Animals are not to be left unattended. Owners are responsible to make sure that their animal(s) do not cause a nuisance to other campers as determined by Department personnel. Excrement of these pets shall be removed from the campsite by the owner. Disposal shall be made directly into a department garbage container with tight fitting lid, or excrement shall be placed in a water tight bag that has been closed or a water tight container with lid closed and placed in a department trash receptacle.

- f) Smoking - Smoking is not allowed in cabins designated as no smoking.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

Section 130.150 Violation of Rule Eviction

- a) For violation of these rules and regulations, a camper is subject to eviction. The camper at the demand of the department, shall remove all equipment and personal property.
- b) The Department may refuse to permit a person camper to re-enter the eviction site/park for a period of up to 90 30 days from such eviction.
- c) No refunds will be granted in such cases.
- d) Any person who violates any provision of this Part shall be guilty of a Class B Misdemeanor.

(Source: Amended at 24 Ill. Reg. _____, effective _____)

DEPARTMENT OF VETERANS' AFFAIRS

NOTICE OF PROPOSED REPEALER

1) Heading of the Part: Vietnam Veteran's Act Program2) Code Citation: 95 Ill. Adm. Code 1173) Section Numbers: Proposed Action:

117.10	Repeal
117.20	Repeal
117.30	Repeal
117.40	Repeal
117.50	Repeal
117.60	Repeal

4) Statutory Authority: 330 ILCS 25

5) A Complete Description of the Subjects and Issues Involved: Provides for establishment of multi-purpose service centers. Transferred to the Illinois Department of Employment Security for administration, 56 Ill. Adm. Code 2960.

6) Will this rulemaking replace any emergency rulemaking currently in effect?
No

7) Does this rulemaking contain an automatic repeal date? No

8) Does this rulemaking contain incorporations by reference? No

9) Are there any other proposed rulemakings pending on this Part? No

10) Statement of Statewide Policy Objectives: This rulemaking will neither create nor expand a state mandate.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Please mail written comments, within 45 days of the publication of this *Illinois Register*, to the attention of:

Richard A. Luttrell
833 S. Spring Street
PO Box 19432
Springfield IL 62794-9432
217/785-6083

12) Initial Regulatory Flexibility Analysis:

A) Types of small businesses, small municipalities and not for profit corporations affected: None

B) Reporting, bookkeeping or other procedures required for compliance:
None

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C) Types of professional skills necessary for compliance: None

13) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent regulatory agendas because: It was not anticipated.

The full text of the Proposed Repealer begins on the next page:

DEPARTMENT OF VETERANS' AFFAIRS

NOTICE OF PROPOSED REPEALER

TITLE 95: VETERANS AND MILITARY AFFAIRS
CHAPTER I: DEPARTMENT OF VETERANS' AFFAIRS

PART 117

VIETNAM VETERANS ACT PROGRAM (REPEALED)

Section

- 117.10 Definitions
- 117.20 Designation of Multi-Purpose Service Centers
- 117.30 Target Groups
- 117.40 Program Funding
- 117.50 Responsibilities and Reporting Requirements
- 117.60 Rural Outreach Initiative

AUTHORITY: Implementing and authorized by the Vietnam Veterans' Act (Supp. to Ill. Rev. Stat. 1983, ch. 126 1/2, pars. 201-207).

SOURCE: Adopted at 9 Ill. Reg. 11665, effective July 31, 1985; amended at 11 Ill. Reg. 3340, effective February 16, 1987; repealed at 24 Ill. Reg. _____, effective _____.

Section 117.10 Definitions

"Community Non-Profit Agency or Organization" means a local agency or organization which is registered as a non-profit corporation with the Secretary of State and/or has been granted non-profit status by the United States Internal Revenue Service.

"Department" means the Illinois Department of Veterans' Affairs.

"Director" means the Director of the Illinois Department of Veterans' Affairs.

"Matching Funds" means cash expenditures, commodities, supplies, equipment, rents or leases calculated at fair market value. Volunteer services may be used as matching funds equal to the value of the services of paid employees.

"Veteran" means any honorably discharged veteran of United States Armed Forces.

Section 117.20 Designation of Multi-Purpose Service Centers

- a) The Director shall designate multi-purpose service centers to provide job training, counseling, and placement services in the designated areas on the basis of applications from interested community non-profit agencies or organizations.
- b) Applications must be submitted to the Director on forms provided by

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NOTICE OF PROPOSED REPEALER

the Department. These forms will be available to interested parties no later than April 1 of each year. Forms may be obtained by writing or calling the Department. Completed forms must be delivered in person to the Department or postmarked no later than May 15th of each year. Applicants chosen to be designated as multi-purpose service centers will be notified in writing by August 1. Applicant not chosen will also be notified in writing by August 1.

- c) The Director shall make the designations based on a thorough review of all applications submitted. The application forms will contain the information necessary to evaluate the criteria listed below. Each applicant must document designation as a non-profit organization by the Secretary of State and/or the Internal Revenue Service to be an eligible applicant. Eligible applicants will be judged relative to all other applicants received. All criteria will be weighted equally. The evaluation criteria are:

- 1) The extent to which the applicant has experience providing social services.
- 2) The overall quality of the program that the applicant proposes to deliver the required services. This will be judged by comparing the narrative program descriptions of each applicant. This narrative must include such information as location of the service center, estimated number of veterans to be served, services to be delivered and means of delivery.
- 3) The extent to which the applicant demonstrates the availability of local resources to assist in implementing and continuing the program. This will be judged by the amount of resources, cash and in-kind, budgeted by the applicant to supplement the funds requested under the Vietnam Veterans' Act. This information will be required in the proposed budget section of this application form.
- d) Designation will be valid for one year only. Designated centers will be required to re-apply each year in accordance with Section 117.20(a), (b), and (c).

Section 117.30 Target Groups

The multi-purpose service centers must make services available to all eligible veterans. All recipients must be honorably discharged veterans of the United States Armed Forces.

Section 117.40 Program Funding

- a) The Director will enter into a grant agreement with each of the community non-profit agencies or organizations designated to serve as a multi-purpose service center. These agreements will identify the parties and enumerate all of the rights and responsibilities of each party exactly as stated in Section 117.50 of this Part. The term of the agreement will be that of the state fiscal year, July 1 to June

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- 30.
- b) Funds will be provided by the Department from those monies appropriated by the General Assembly for this purpose. Program operations must begin within thirty days of the signing of the agreement.
 - c) Each agreement will enumerate the scope of the services required to be provided by the multi-purpose service center. The agreement must also describe in detail how each service will be delivered.
 - d) Each local agency is required by the Act to provide matching funds of not less than 5% of the contract amount. (Ill. Rev. Stat. 1984 Supp., ch. 126 1/2, par. 207(b))
 - e) To the extent possible, supervisory, technical and administrative positions relating to the local program shall be filled by veterans. (Supp. to Ill. Rev. Stat. 1984 Supp., ch. 126 1/2, par. 206(6c))

Section 117.50 Responsibilities and Reporting Requirements

- a) Once the Director and each designated community non-profit agency or organization have agreed upon the amount necessary to operate the multi-purpose service center and signed the grant agreement, the Director will make available ten percent (10%) of that amount to start up and begin operations. Subsequent to that, the local agency will submit to the Director at the end of the month a complete accounting all expenses incurred in that month. The Department will reimburse budgeted expenses as incurred.
- b) Allowable start-up costs will be those for: personal and fringe benefits; travel; office equipment and supplies; office rent; postage; telephone, printing; and contractual expenses for professional services. Procurement of supplies and equipment with state funds must be done in accordance with the state statutes and the rules of the Department of Central Management Services. Unspent state funds shall be maintained in accounts covered under Federal Depositors Insurance Corporation or Federal Savings and Loan Insurance Corporation agreements.
- c) Travel expenses will be reimbursed in accordance with the latest Department of Central Management Services Travel Regulations (80 Ill. Adm. Code 2800).
- d) The grantee shall keep records which detail the grantee's expenditure summaries submitted pursuant to Section 117.50(a) of this Part. All financial records must be kept according to the Accounting Standards of the Financial Accounting Standards Board of the American Institute of Certified Public Accountants (June 1984). An annual audit of grant funds shall be conducted by the Department. All grantee records which reflect the actual activities conducted and the actual costs and expenses incurred by the grantees will be subject to an audit at any time by the Department's internal auditor.
- e) Each local agency will also submit an annual report to the Director following the completion of the fiscal year, June 30. This report

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shall include evaluations of the effectiveness of the job training, placement and service programs to veterans including the number of persons served by the various service programs, and estimates of the cost effectiveness of the various components of the center. This report must be submitted no later than July 31 of each year. (Ill. Rev. Stat. 1984 Supp., ch. 126 1/2, par. 206(d)).

Section 117.60 Rural Outreach Initiative

- a) Applicants proposing to serve areas outside of Cook County shall include as a part of their applications, a plan for a Rural Outreach Initiative. This plan should specify the means by which the applicant proposes to insure the delivery of services to veterans in rural areas who would not otherwise have access to the program.
- b) Each Rural Initiative Plan will be evaluated by the Department to assure that it is sufficient to meet the need of the rural areas involved. The criteria consist of:
 - 1) Whether the plan includes an analysis of the population and problems (e.g., number of veterans, unemployment rate, particular circumstances such as plant closings, etc.) involved in the area.
 - 2) Whether the proposed budget can realistically result in the delivery of the services described in the plan.

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NOTICE OF ADOPTED AMENDMENT

- 1) Heading of the Part: Pay Plan
- 2) Code Citation: 80 Ill. Adm. Code 310
- 3) Section Number: Adopted Action:
APPENDIX A, TABLE J Amended
- 4) Statutory Authority: Authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].
- 5) Effective Date of Amendment: May 23, 2000
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in the Illinois Register: February 18, 2000, Issue #8, 24 Ill. Reg. 2508
- 10) Has JCAR issued a Statement of Objection to this amendment? No
- 11) Differences between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any proposed amendments pending on this Part? Yes

Section Number	Proposed Action	Ill. Register Citation
310.280	Amend	24 Ill. Reg. 4292
310.280	Amend	24 Ill. Reg. 5802
310.280	Amend	24 Ill. Reg. 7574

- 15) Summary and Purpose of Amendments: In Section 310.Appendix A, Table J, RC-014 (Clerical Employees, AFSCME), the abolished titles of Telecommunications Field Advisor and Telecommunications Field Advisor Lead Worker were deleted. Effective January 1, 2000, these titles were replaced by the new State Police Field Specialist II (RC-062).

- 16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Mr. Michael Murphy
Department of Central Management Services
Division of Technical Services
504 William G. Stratton Building
Springfield, Illinois 62706
(217) 782-5601

The full text of the adopted amendments begin on the next page:

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NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND

POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310

PAY PLAN

SUBPART A: NARRATIVE

Section	
310.20	Policy and Responsibilities
310.30	Jurisdiction
310.40	Pay Schedules
310.50	Definitions
310.60	Conversion of Base Salary to Pay Period Units
310.70	Conversion of Base Salary to Daily or Hourly Equivalents
310.80	Increases in Pay
310.90	Decreases in Pay
310.100	Other Pay Provisions
310.110	Implementation of Pay Plan Changes for Fiscal Year 2000
310.120	Interpretation and Application of Pay Plan
310.130	Effective Date
310.140	Reinstitution of Within Grade Salary Increases (Repealed)
310.150	Fiscal Year 1985 Pay Changes in Schedule of Salary Grades, Effective July 1, 1984 (Repealed)

SUBPART B: SCHEDULE OF RATES

Section	
310.205	Introduction
310.210	Prevailing Rate
310.220	Negotiated Rate
310.230	Part-Time Daily or Hourly Special Services Rate
310.240	Hourly Rate
310.250	Member, Patient and Inmate Rate
310.260	Trainee Rate
310.270	Legislated and Contracted Rate
310.280	Designated Rate
310.290	Out-of-State or Foreign Service Rate
310.300	Educator Schedule for RC-063 and HR-010
310.310	Physician Specialist Rate
310.320	Annual Compensation Ranges for Executive Director and Assistant Executive Director, State Board of Elections
310.330	Excluded Classes Rate (Repealed)

SUBPART C: MERIT COMPENSATION SYSTEM

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE B: PERSONNEL RULES, PAY PLANS, AND

POSITION CLASSIFICATIONS

CHAPTER I: DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

PART 310

PAY PLAN

SUBPART A: NARRATIVE

Section	
310.410	Jurisdiction
310.420	Objectives
310.430	Responsibilities
310.440	Merit Compensation Salary Schedule
310.450	Procedures for Determining Annual Merit Increases
310.455	Intermittent Merit Increase
310.456	Merit Zone (Repealed)
310.460	Other Pay Increases
310.470	Adjustment
310.480	Decreases in Pay
310.490	Other Pay Provisions
310.495	Broad-Band Pay Range Classes
310.500	Definitions
310.510	Conversion of Base Salary to Pay Period Units
310.520	Conversion of Base Salary to Daily or Hourly Equivalents
310.530	Implementation
310.540	Annual Merit Increase Guidechart for Fiscal Year 2000
310.550	Fiscal Year 1985 Pay Changes in Merit Compensation System, effective July 1, 1984 (Repealed)

APPENDIX A

Table	Negotiated Rates of Pay	Central Management Services - State of Illinois Building - SEIU
TABLE A	HR-190 (Department of Central Management Services - State of Illinois Building - SEIU)	
TABLE AA	NR-916 (Department of Natural Resources, Teamsters)	
TABLE B	HR-200 (Department of Labor - Chicago, Illinois - SEIU) (Repealed)	
TABLE C	RC-069 (Firefighters, AFSCME)	
TABLE D	HR-001 (Teamsters Local #726)	
TABLE E	RC-020 (Teamsters Local #330)	
TABLE F	RC-019 (Teamsters Local #25)	
TABLE G	RC-045 (Automotive Mechanics, IFPE)	
TABLE H	RC-006 (Corrections Employees, AFSCME)	
TABLE I	RC-009 (Institutional Employees, AFSCME)	
TABLE J	RC-014 (Clerical Employees, AFSCME)	
TABLE K	RC-023 (Registered Nurses, INA)	
TABLE L	RC-008 (Boilermakers)	
TABLE M	RC-110 (Conservation Police Lodge)	
TABLE N	RC-010 (Professional Legal Unit, AFSCME)	
TABLE O	RC-028 (Paraprofessional Human Services Employees, AFSCME)	
TABLE P	RC-029 (Paraprofessional Investigatory and Law Enforcement Employees, IFPE)	
TABLE Q	RC-033 (Meat Inspectors, IFPE)	
TABLE R	RC-042 (Residual Maintenance Workers, AFSCME)	
TABLE S	HR-012 (Fair Employment Practices Employees, SEIU)	
TABLE T	HR-010 (Teachers of Deaf, IFT)	
TABLE U	HR-010 (Teachers of Deaf, Extracurricular Paid Activities)	
TABLE V	CU-500 (Corrections, Meet and Confer Employees)	
TABLE W	RC-062 (Technical Employees, AFSCME)	

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TABLE X	RC-063 (Professional Employees, AFSCME)
TABLE Y	RC-063 (Educators, AFSCME)
TABLE Z	RC-063 (Physicians, AFSCME)
APPENDIX B	Schedule of Salary Grades - Monthly Rates of Pay for Fiscal Year 2000
APPENDIX C	Medical Administrator Rates for Fiscal Year 2000
APPENDIX D	Merit Compensation System Salary Schedule for Fiscal Year 2000
APPENDIX E	Teaching Salary Schedule (Repealed)
APPENDIX F	Physician and Physician Specialist Salary Schedule (Repealed)
APPENDIX G	Broad-Band Pay Range Classes Salary Schedule for Fiscal Year 2000

AUTHORITY: Implementing and authorized by Sections 8 and 8a of the Personnel Code [20 ILCS 415/8 and 8a].

SOURCE: Filed June 28, 1967; codified at 8 Ill. Reg. 1558; emergency amendment at 8 Ill. Reg. 1990, effective January 31, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 2440, effective February 15, 1984; emergency amendment at 8 Ill. Reg. 3348, effective March 5, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 4249, effective March 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 5704, effective April 16, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 7290, effective May 11, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 11299, effective June 25, 1984; emergency amendment at 8 Ill. Reg. 12616, effective July 1, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 15007, effective August 6, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 15367, effective August 13, 1984; emergency amendment at 8 Ill. Reg. 21310, effective October 10, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21544, effective October 24, 1984; amended at 8 Ill. Reg. 22844, effective November 14, 1984; emergency amendment at 9 Ill. Reg. 1134, effective January 16, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 1320, effective January 23, 1985; amended at 9 Ill. Reg. 3681, effective March 12, 1985; emergency amendment at 9 Ill. Reg. 4163, effective March 15, 1985, for a maximum of 150 days; emergency amendment at 9 Ill. Reg. 9231, effective May 31, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9420, effective June 7, 1985; amended at 9 Ill. Reg. 10663, effective July 1, 1985; emergency amendment at 9 Ill. Reg. 15043, effective September 24, 1985, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 3325, effective January 22, 1986; amended at 10 Ill. Reg. 3230, effective January 24, 1986; emergency amendment at 10 Ill. Reg. 8904, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 8928, effective May 13, 1986; emergency amendment at 10 Ill. Reg. 12090, effective June 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 13675, effective July 31, 1986; emergency amendment at 10 Ill. Reg. 14867, effective August 26, 1986; amended at 10 Ill. Reg. 15567, effective September 17, 1986; emergency amendment at 10 Ill. Reg. 17765, effective September 30, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 19132, effective October 28, 1986; emergency amendment at 10 Ill. Reg. 21097, effective December 9, 1986; amended at 11 Ill.

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Reg. 648, effective December 22, 1986; emergency amendment at 11 Ill. Reg. 3363, effective February 3, 1987; emergency amendment at 11 Ill. Reg. 4388, effective February 27, 1987; emergency amendment at 11 Ill. Reg. 6291, effective March 23, 1987; amended at 11 Ill. Reg. 5901, effective March 24, 1987; emergency amendment at 11 Ill. Reg. 8787, effective April 15, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 11830, effective July 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 13675, effective July 29, 1987; amended at 11 Ill. Reg. 14984, effective August 27, 1987; emergency amendment at 11 Ill. Reg. 15273, effective September 1, 1987; emergency amendment at 11 Ill. Reg. 17919, effective October 19, 1987; emergency amendment at 11 Ill. Reg. 19812, effective November 19, 1987; emergency amendment at 11 Ill. Reg. 20664, effective December 4, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20778, effective December 11, 1987; emergency amendment at 12 Ill. Reg. 3811, effective January 27, 1988; emergency amendment at 12 Ill. Reg. 5459, effective March 3, 1988; amended at 12 Ill. Reg. 6073, effective March 21, 1988; emergency amendment at 12 Ill. Reg. 7783, effective April 14, 1988; emergency amendment at 12 Ill. Reg. 7734, effective April 15, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 8135, effective April 22, 1988; emergency amendment at 12 Ill. Reg. 9745, effective May 23, 1988; emergency amendment at 12 Ill. Reg. 11778, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 12895, effective July 18, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 13306, effective July 27, 1988; corrected at 12 Ill. Reg. 13359; amended at 12 Ill. Reg. 14630, effective September 6, 1988; amended at 12 Ill. Reg. 20449, effective November 28, 1988; emergency amendment at 12 Ill. Reg. 20584, effective November 28, 1988; emergency amendment at 13 Ill. Reg. 8080, effective May 10, 1989; amended at 13 Ill. Reg. 8849, effective May 30, 1989; emergency amendment at 13 Ill. Reg. 8970, effective May 26, 1989; emergency amendment at 13 Ill. Reg. 10967, effective June 20, 1989, for a maximum of 150 days; emergency amendment expired on November 17, 1989; amended at 13 Ill. Reg. 11451, effective June 28, 1989; emergency amendment at 13 Ill. Reg. 11854, effective July 1, 1989, for a maximum of 150 days; corrected at 13 Ill. Reg. 12647; emergency amendment at 13 Ill. Reg. 12887, effective July 24, 1989; amended at 13 Ill. Reg. 16950, effective October 20, 1989; amended at 13 Ill. Reg. 19221, effective December 12, 1989; amended at 14 Ill. Reg. 615, effective January 2, 1990; emergency amendment at 14 Ill. Reg. 1627, effective January 11, 1990; amended at 14 Ill. Reg. 4455, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 7652, effective May 7, 1990; amended at 14 Ill. Reg. 10002, effective June 11, 1990; emergency amendment at 14 Ill. Reg. 11330, effective June 29, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14361, effective August 24, 1990; emergency amendment at 14 Ill. Reg. 15570, effective September 11, 1990, for a maximum of 150 days; emergency amendment expired on February 8, 1991; corrected at 14 Ill. Reg. 16092; emergency amendment at 14 Ill. Reg. 17098, effective September 26, 1990; amended at 14 Ill. Reg. 17189, effective October 2, 1990; amended at 14 Ill. Reg. 17189, effective October 19, 1990; amended at 14 Ill. Reg. 18719, effective November 13, 1990; emergency amendment at 14 Ill. Reg. 18854, effective November 13, 1990; emergency amendment at 15 Ill. Reg. 663,

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effective January 7, 1991; amended at 15 Ill. Reg. 3296, effective February 14, 1991; amended at 15 Ill. Reg. 4401, effective March 11, 1991; peremptory amendment at 15 Ill. Reg. 5100, effective March 20, 1991; peremptory amendment at 15 Ill. Reg. 5465, effective April 2, 1991; emergency amendment at 15 Ill. Reg. 10485, effective July 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 11080, effective July 19, 1991; amended at 15 Ill. Reg. 13080, effective August 21, 1991; amended at 15 Ill. Reg. 14210, effective September 23, 1991; emergency amendment at 16 Ill. Reg. 711, effective December 26, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 3450, effective February 20, 1992; peremptory amendment at 16 Ill. Reg. 5068, effective March 11, 1992; peremptory amendment at 16 Ill. Reg. 7056, effective April 20, 1992; emergency amendment at 16 Ill. Reg. 8239, effective May 19, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 8382, effective May 26, 1992; emergency amendment at 16 Ill. Reg. 13950, effective August 19, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 14452, effective September 4, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 238, effective December 23, 1992; peremptory amendment at 17 Ill. Reg. 498, effective December 18, 1992; amended at 17 Ill. Reg. 590, effective January 4, 1993; amended at 17 Ill. Reg. 6441, effective April 8, 1993; emergency amendment at 17 Ill. Reg. 12900, effective July 22, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 13409, effective July 29, 1993; emergency amendment at 17 Ill. Reg. 13789, effective August 9, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 14666, effective August 26, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 19103, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 21858, effective December 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 227, effective December 15, 1993; amended at 18 Ill. Reg. 1107, effective January 18, 1994; amended at 18 Ill. Reg. 5146, effective March 21, 1994; peremptory amendment at 18 Ill. Reg. 9562, effective June 13, 1994; emergency amendment at 18 Ill. Reg. 11299, effective July 1, 1994, for a maximum of 150 days; peremptory amendment at 18 Ill. Reg. 13476, effective August 17, 1994; emergency amendment at 18 Ill. Reg. 14417, effective September 9, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 16708, effective October 28, 1994; peremptory amendment at 18 Ill. Reg. 16545, effective October 31, 1994; peremptory amendment at 18 Ill. Reg. 17191, effective November 21, 1994; amended at 19 Ill. Reg. 1024, effective January 24, 1995; peremptory amendment at 19 Ill. Reg. 2481, effective February 17, 1995; peremptory amendment at 19 Ill. Reg. 3073, effective February 17, 1995; amended at 19 Ill. Reg. 3456, effective March 7, 1995; peremptory amendment at 19 Ill. Reg. 5145, effective March 14, 1995; amended at 19 Ill. Reg. 6452, effective May 2, 1995; peremptory amendment at 19 Ill. Reg. 6688, effective May 1, 1995; amended at 19 Ill. Reg. 7841, effective June 1, 1995; amended at 19 Ill. Reg. 8156, effective June 12, 1995; amended at 19 Ill. Reg. 9096, effective June 27, 1995; emergency amendment at 19 Ill. Reg. 11954, effective August 1, 1995, for a maximum of 150 days; peremptory amendment at 19 Ill. Reg. 13979, effective September 19, 1995; peremptory amendment at 19 Ill. Reg. 15103, effective October 12, 1995; amended at 19 Ill. Reg. 16160, effective November 28, 1995; amended at 20 Ill. Reg. 308, effective December

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

22, 1995; emergency amendment at 20 Ill. Reg. 4060, effective February 27, 1996, for a maximum of 150 days; peremptory amendment at 20 Ill. Reg. 6334, effective April 22, 1996; peremptory amendment at 20 Ill. Reg. 7434, effective May 14, 1996; amended at 20 Ill. Reg. 8301, effective June 11, 1996; amended at 20 Ill. Reg. 8657, effective June 20, 1996; amended at 20 Ill. Reg. 9006, effective June 26, 1996; amended at 20 Ill. Reg. 9925, effective July 10, 1996; emergency amendment at 20 Ill. Reg. 10213, effective July 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 10841, effective August 5, 1996; peremptory amendment at 20 Ill. Reg. 13408, effective September 24, 1996; amended at 20 Ill. Reg. 15018, effective November 7, 1996; peremptory amendment at 20 Ill. Reg. 15092, effective November 7, 1996; emergency amendment at 21 Ill. Reg. 1023, effective January 6, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 1629, effective January 22, 1997; amended at 21 Ill. Reg. 5144, effective April 15, 1997; amended at 21 Ill. Reg. 6444, effective May 15, 1997; amended at 21 Ill. Reg. 7118, effective June 3, 1997; emergency amendment at 21 Ill. Reg. 10061, effective July 21, 1997, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 12859, effective September 8, 1997, for a maximum of 150 days; peremptory amendment at 21 Ill. Reg. 14267, effective October 14, 1997; peremptory amendment at 21 Ill. Reg. 14589, effective October 15, 1997; amended at 21 Ill. Reg. 16344, effective December 9, 1997; peremptory amendment at 21 Ill. Reg. 16465, effective December 4, 1997; peremptory amendment at 21 Ill. Reg. 17167, effective December 9, 1997; peremptory amendment at 22 Ill. Reg. 1593, effective December 22, 1997; amended at 22 Ill. Reg. 2580, effective January 14, 1998; peremptory amendment at 22 Ill. Reg. 4326, effective February 13, 1998; peremptory amendment at 22 Ill. Reg. 5108, effective February 26, 1998; peremptory amendment at 22 Ill. Reg. 5749, effective March 3, 1998; amended at 22 Ill. Reg. 6204, effective March 12, 1998; peremptory amendment at 22 Ill. Reg. 7053, effective April 1, 1998; peremptory amendment at 22 Ill. Reg. 7320, effective April 10, 1998; peremptory amendment at 22 Ill. Reg. 7692, effective April 20, 1998; emergency amendment at 22 Ill. Reg. 12607, effective July 2, 1998, for a maximum of 150 days; peremptory amendment at 22 Ill. Reg. 15489, effective August 7, 1998; amended at 22 Ill. Reg. 16158, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19105, effective September 30, 1998; peremptory amendment at 22 Ill. Reg. 19943, effective October 27, 1998; peremptory amendment at 22 Ill. Reg. 20406, effective November 5, 1998; amended at 22 Ill. Reg. 20581, effective November 16, 1998; amended at 23 Ill. Reg. 664, effective January 1, 1999; peremptory amendment at 23 Ill. Reg. 730, effective December 29, 1998; emergency amendment at 23 Ill. Reg. 6533, effective May 10, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 7065, effective June 3, 1999; emergency amendment at 23 Ill. Reg. 8169, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 11020, effective August 26, 1999; amended at 23 Ill. Reg. 12429, effective September 21, 1999; peremptory amendment at 23 Ill. Reg. 12493, effective September 23, 1999; amended at 23 Ill. Reg. 12604, effective September 24, 1999; amended at 23 Ill. Reg. 13053, effective September 27, 1999; peremptory amendment at 23 Ill. Reg. 13132, effective October 1, 1999; amended at 23 Ill. Reg. 13570, effective October 26, 1999; amended at 23 Ill. Reg. 14020,

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Insurance Analyst II	1885	1942	2000	2060	2148	2228	Taker	2062	2124	2188	2254	2350	2449
Insurance Analyst Trainee	1546	1592	1640	1689	1747	1809	Telecommunicator Lead Worker	2153	2218	2285	2354	2453	2570
Intermittent Clerk	8.15	8.39	8.65	8.90	9.14	9.41	Telecommunicator Lead						
Library Aide I	1360	1401	1443	1486	1529	1581	Worker-Command Center						
Library Aide II	1447	1490	1535	1581	1634	1688	Telecommunicator Trainee	1724	1776	1829	1884	1966	2037
Library Aide III	1546	1592	1640	1689	1747	1809	Vehicle Permit Evaluator	1800	1854	1910	1967	2049	2124
Library Technical Assistant	1724	1776	1829	1884	1966	2037	Veterans Service Officer	1800	1854	1910	1967	2049	2124
Microfilm Laboratory Technician I	1546	1592	1640	1689	1747	1809	Associate						
Microfilm Laboratory Technician II	1660	1710	1761	1814	1882	1955							
Microfilm Operator I	1399	1441	1484	1529	1581	1632							
Microfilm Operator II	1495	1540	1586	1634	1689	1744							
Microfilm Operator III	1599	1647	1696	1747	1814	1879							
Office Aide	1324	1364	1405	1447	1486	1529							
Office Assistant	1495	1540	1586	1634	1689	1744							
Office Associate	1599	1647	1696	1747	1814	1879							
Office Clerk	1399	1441	1484	1529	1581	1632							
Office Coordinator	1660	1710	1761	1814	1882	1955							
Photographer I	1800	1854	1910	1967	2049	2124							
Photographer II	2062	2124	2188	2254	2350	2449							
Photographer III	2153	2218	2285	2354	2463	2570							
Photographic Technician I	1800	1854	1910	1967	2049	2124							
Photographic Technician II	2062	2124	2188	2254	2350	2449							
Photographic Technician III	2153	2218	2285	2354	2463	2570							
Procurement Representative	1660	1710	1761	1814	1882	1955							
Property & Supply Clerk I	1399	1441	1484	1529	1581	1632							
Property & Supply Clerk II	1490	1535	1581	1628	1678	1740							
Property & Supply Clerk III	1599	1647	1696	1747	1814	1879							
Property Tax Examiner	1660	1710	1761	1814	1882	1955							
Rehabilitation Case Coordinator I	1546	1592	1640	1689	1747	1809							
Rehabilitation Case Coordinator II	1660	1710	1761	1814	1882	1955							
Reproduction Service Technician I	1447	1490	1535	1581	1634	1688							
Reproduction Service Technician II	1660	1710	1761	1814	1882	1955							
Reproduction Service Technician III	1800	1854	1910	1967	2049	2124							
Safety Responsibility Analyst	1885	1942	2000	2060	2148	2228							
Storekeeper I	1786	1840	1895	1952	2025	2107							
Storekeeper II	1938	1996	2056	2118	2207	2294							
Storekeeper III	2062	2124	2188	2254	2350	2449							
Stores Clerk	1444	1487	1532	1578	1628	1677							
Switchboard Operator I	1447	1490	1535	1581	1634	1688							
Switchboard Operator II	1546	1592	1640	1689	1747	1809							
Telecommunications Field Advisor	2153	2218	2285	2354	2463	2570							
Telecommunications Field Advisor Lead Worker	2373	2444	2517	2593	2717	2843							
Telecommunicator	1885	1942	2000	2060	2148	2228							
Telecommunicator-Command Center	1967	2026	2087	2150	2240	2336							
Telecommunicator Call Taker	1967	2026	2087	2150	2240	2336							
Telecommunicator Lead Call	2153	2218	2285	2354	2463	2570							

S T E P S (cont.)

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DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Data Processing Assistant	1540	1586	1634	1683	1740	1796	Property & Supply Clerk II	1535	1581	1628	1677	1728	1792
Data Processing Operator	1441	1484	1529	1575	1628	1681	Property & Supply Clerk III	1647	1696	1747	1799	1868	1935
Data Processing Operator Trainee	1364	1407	1450	1490	1531	1575	Property Tax Examiner	1710	1761	1814	1868	1938	2014
Drafting Worker	1854	1910	1967	2026	2110	2188	Rehabilitation Case Coordinator I	1592	1640	1689	1740	1799	1863
Electronic Equipment	1776	1829	1884	1941	2025	2098	Rehabilitation Case Coordinator II	1710	1761	1814	1868	1938	2014
Electronic Equipment	1942	2000	2060	2122	2212	2295	Reproduction Service Technician I	1490	1535	1581	1628	1683	1739
Installer/Repairer Leadworker							Reproduction Service Technician II	1710	1761	1814	1868	1938	2014
Electronics Technician	2218	2285	2354	2425	2537	2647	Reproduction Service Technician III	1854	1910	1967	2026	2110	2188
Emergency Response Lead	1942	2000	2060	2122	2212	2295	Safety Responsibility Analyst	1942	2000	2060	2122	2212	2295
Telecommunicator							Storekeeper I	1840	1895	1952	2011	2086	2170
Emergency Response	1776	1829	1884	1941	2025	2098	Storekeeper II	1996	2056	2118	2182	2273	2363
Telecommunicator							Storekeeper III	2124	2188	2254	2322	2421	2522
Engineering Technician II	2026	2087	2150	2215	2307	2406	Stores Clerk	1487	1532	1578	1625	1677	1727
Engineering Technician III	2330	2400	2472	2546	2664	2785	Switchboard Operator I	1490	1535	1581	1628	1683	1739
Executive Secretary I	1854	1910	1967	2026	2110	2188	Switchboard Operator II	1592	1640	1689	1740	1799	1863
Graphic Arts Designer	2124	2188	2254	2322	2421	2522	Telecommunications Field Advisor	2218	2285	2354	2425	2537	2647
Graphic Arts Technician	1942	2000	2060	2122	2212	2295	Telecommunications Field Advisor	2444	2517	2593	2671	2799	2928
Industrial Commission Reporter	2330	2400	2472	2546	2664	2785	Lead Worker						
Industrial Commission Technician	1854	1910	1967	2026	2110	2188	Telecommunicator	1942	2000	2060	2122	2212	2295
Insurance Analyst I	1710	1761	1814	1868	1938	2014	Telecommunicator-Command Center	2026	2087	2150	2215	2307	2406
Insurance Analyst II	1942	2000	2060	2122	2212	2295	Telecommunicator Call Taker	2026	2087	2150	2215	2307	2406
Insurance Analyst Trainee	1592	1640	1689	1740	1799	1863	Telecommunicator Lead Call	2218	2285	2354	2425	2537	2647
Intermittent Clerk	8.39	8.65	8.90	9.17	9.42	9.69	Taker						
Library Aide I	1401	1443	1486	1531	1575	1628	Telecommunicator Lead	2444	2517	2593	2671	2799	2928
Library Aide II	1490	1535	1581	1628	1683	1739	Specialist						
Library Aide III	1592	1640	1689	1740	1799	1863	Telecommunicator Lead Worker	2124	2188	2254	2322	2421	2522
Library Technical Assistant	1776	1829	1884	1941	2025	2098	Telecommunicator Lead	2218	2285	2354	2425	2537	2647
Lottery Telemarketing	1710	1761	1814	1868	1938	2014	Worker-Command Center						
Representative							Telecommunicator Specialist	2218	2285	2354	2425	2537	2647
Microfilm Laboratory Technician I	1592	1640	1689	1740	1799	1863	Telecommunicator	1776	1829	1884	1941	2025	2098
Microfilm Laboratory Technician II	1710	1761	1814	1868	1938	2014	Trainee						
Microfilm Operator I	1441	1484	1529	1575	1628	1681	Vehicle Permit Evaluator	1854	1910	1967	2026	2110	2188
Microfilm Operator II	1540	1586	1634	1683	1740	1796	Veterans Service Officer	1854	1910	1967	2026	2110	2188
Microfilm Operator III	1647	1696	1747	1799	1868	1935	Associate						
Office Aide	1364	1405	1447	1490	1531	1575	Account Clerk I						
Office Assistant	1540	1586	1634	1683	1740	1796	Account Clerk II						
Office Associate	1647	1696	1747	1799	1868	1935	Account Technician I						
Office Clerk	1441	1484	1529	1575	1628	1681	Account Technician II						
Office Coordinator	1710	1761	1814	1868	1938	2014	Administrative Services Worker						
Photographer I	1854	1910	1967	2026	2110	2188	Trainee						
Photographer II	2124	2188	2254	2322	2421	2522	Aircraft Dispatcher						
Photographer III	2218	2285	2354	2425	2537	2647	Aircraft Lead Dispatcher						
Photographic Technician I	1854	1910	1967	2026	2110	2188	Audio Visual Technician I						
Photographic Technician II	2124	2188	2254	2322	2421	2522	Audio Visual Technician II						
Photographic Technician III	2218	2285	2354	2425	2537	2647							
Procurement Representative	1710	1761	1814	1868	1938	2014							
Property & Supply Clerk I	1441	1484	1529	1575	1625	1677							

S T E P S (cont.)

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1794

1847

1901

1995

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1989

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1674

2391

2477

2572

2715

2842

3007

2086

2164

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Buyer Assistant	2178	2255	2336	2466
Check Issuance Machine Operator	2086	2164	2238	2356
Clerical Trainee	TR			
Communication Dispatcher	2086	2164	2238	2356
Communication Equipment Technician I	3051	3175	3304	3501
Communication Equipment Technician II	3417	3561	3710	3934
Communication Equipment Technician III	3611	3767	3922	4162
Court Reporter	2755	2868	2975	3152
Data Processing Assistant	1858	1916	1978	2078
Data Processing Operator	1728	1787	1835	1930
Data Processing Operator Trainee	1627	1674	1720	1799
Drafting Worker	2277	2362	2442	2579
Electronic Equipment Installer/Repairer	2178	2255	2336	2466
Electronic Equipment Installer/Repairer Leadworker	2391	2477	2572	2715
Electronics Technician	2755	2868	2975	3152
Emergency Response Lead	2391	2477	2572	2715
Telecommunicator	2178	2255	2336	2466
Emergency Response Telecommunicator	2504	2598	2698	2851
Engineering Technician II	2902	3022	3144	3329
Engineering Technician III	2277	2362	2442	2579
Executive Secretary I	2636	2736	2842	3007
Graphic Arts Designer	2391	2477	2572	2715
Industrial Commission Technician	2902	3022	3144	3329
Industrial Commission Technician	2277	2362	2442	2579
Insurance Analyst I	2086	2164	2238	2356
Insurance Analyst II	2391	2477	2572	2715
Insurance Analyst Trainee	1926	1989	2055	2165
Intermittent Clerk	10.01	10.30	10.58	11.07
Library Aide I	1677	1724	1774	1865
Library Aide II	1794	1847	1901	1995
Library Aide III	1926	1989	2055	2165
Library Technical Assistant	2178	2255	2336	2466
Lottery Telemarketing Representative	2086	2164	2238	2356
Microfilm Laboratory Technician I	1926	1989	2055	2165
Microfilm Laboratory Technician II	2086	2164	2238	2356
Microfilm Operator I	1728	1787	1835	1930
Microfilm Operator II	1858	1916	1978	2078
Microfilm Operator III	2009	2073	2144	2258
Office Aide	1627	1674	1720	1799
Office Assistant	1858	1916	1978	2078
Office Associate	2009	2073	2144	2258

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Office Clerk	1728	1787	1835	1930
Office Coordinator	2086	2164	2238	2356
Photographer I	2277	2362	2442	2579
Photographer II	2636	2736	2842	3007
Photographer III	2755	2868	2975	3152
Photographic Technician I	2277	2362	2442	2579
Photographic Technician II	2636	2736	2842	3007
Photographic Technician III	2755	2868	2975	3152
Procurement Representative	2086	2164	2238	2356
Property & Supply Clerk I	1726	1774	1829	1923
Property & Supply Clerk II	1846	1901	1961	2056
Property & Supply Clerk III	2009	2073	2144	2258
Property Tax Examiner	2086	2164	2238	2356
Rehabilitation Case Coordinator I	1926	1989	2055	2165
Rehabilitation Case Coordinator II	2086	2164	2238	2356
Reproduction Service Technician I	1794	1847	1901	1995
Reproduction Service Technician II	2086	2164	2238	2356
Reproduction Service Technician III	2277	2362	2442	2579
Safety Responsibility Analyst	2391	2477	2572	2715
Storekeeper I	2246	2335	2410	2540
Storekeeper II	2460	2550	2636	2785
Storekeeper III	2636	2736	2842	3007
Stores Clerk	1783	1839	1891	1987
Switchboard Operator I	1794	1847	1901	1995
Switchboard Operator II	1926	1989	2055	2165
Telecommunications Field Advisor	2755	2868	2975	3152
Telecommunications Field Advisor Lead Worker	3051	3175	3304	3501
Telecommunicator	2391	2477	2572	2715
Telecommunicator-Command Center	2504	2598	2698	2851
Telecommunicator Call Taker	2504	2598	2698	2851
Telecommunicator Lead Call Taker	2755	2868	2975	3152
Telecommunicator Lead	3051	3175	3304	3501
Specialist	2636	2736	2842	3007
Telecommunicator Lead Worker	2755	2868	2975	3152
Telecommunicator Lead	2755	2868	2975	3152
Worker-Command Center	2755	2868	2975	3152
Telecommunicator Specialist	2178	2255	2336	2466
Telecommunicator Trainee	2277	2362	2442	2579
Vehicle Permit Evaluator	2277	2362	2442	2579
Veterans Service Officer Associate	2277	2362	2442	2579

NOTE: Employees subject to the alternative pension formula will be paid at rates that are 3% higher than those stated above.

Effective: July 1, 1999

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NOTICE OF ADOPTED AMENDMENT

	S T E P S			
	1c	1b	1a	1
Account Clerk I	1535	1581	1628	1677
Account Clerk II	1640	1689	1740	1792
Account Technician I	1829	1884	1941	1999
Account Technician II	2000	2060	2122	2186
Administrative Services	1405	1447	1490	1535
Worker Trainee				
Aircraft Dispatcher	2000	2060	2122	2186
Aircraft Lead Dispatcher	2188	2254	2322	2392
Audio Visual Technician I	1586	1634	1683	1733
Audio Visual Technician II	1761	1814	1868	1924
Buyer Assistant	1829	1884	1941	1999
Check Issuance Machine Operator	1761	1814	1868	1924
Clerical Trainee	TR			
Communication Dispatcher	1761	1814	1868	1924
Communication Equipment Technician	2517	2593	2671	2751
Communication Equipment Technician I				
Communication Equipment Technician II	2797	2881	2967	3056
Communication Equipment Technician III	2956	3045	3136	3230
Court Reporter	2285	2354	2425	2498
Data Processing Assistant	1586	1634	1683	1733
Data Processing Operator	1484	1529	1575	1622
Data Processing Operator Trainee	1405	1447	1490	1535
Drafting Worker	1910	1967	2026	2087
Electronic Equipment Installer/Repairer	1829	1884	1941	1999
Electronic Equipment Installer/Repairer Leadworker	2000	2060	2122	2186
Electronics Technician	2285	2354	2425	2498
Emergency Response Lead	2000	2060	2122	2186
Telecommunicator	1829	1884	1941	1999
Telecommunicator				
Engineering Technician II	2087	2150	2215	2281
Engineering Technician III	2400	2472	2546	2622
Executive Secretary I	1910	1967	2026	2087
Graphic Arts Designer	2188	2254	2322	2392
Graphic Arts Technician	2000	2060	2122	2186
Industrial Commission Reporter	2400	2472	2546	2622
Industrial Commission Technician	1910	1967	2026	2087
Insurance Analyst I	1761	1814	1868	1924
Insurance Analyst II	2000	2060	2122	2186
Insurance Analyst Trainee	1640	1689	1740	1792
Intermittent Clerk	8-65	8-90	9-17	9-45
Library Aide I	1443	1486	1531	1577

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NOTICE OF ADOPTED AMENDMENT

Library Aide II	1535	1581	1628	1677	1733	1791
Library Aide III	1640	1689	1740	1792	1853	1919
Library Technical Assistant	1829	1884	1941	1999	2086	2161
Lottery Telemarketing Representative	1761	1814	1868	1924	1996	2074
Microfilm Laboratory Technician I	1640	1689	1740	1792	1853	1919
Microfilm Laboratory Technician II	1761	1814	1868	1924	1996	2074
Microfilm Operator I	1484	1529	1575	1622	1677	1731
Microfilm Operator II	1586	1634	1683	1733	1792	1850
Microfilm Operator III	1696	1747	1799	1853	1924	1993
Office Aide	1405	1447	1490	1535	1577	1622
Office Assistant	1586	1634	1683	1733	1792	1850
Office Associate	1696	1747	1799	1853	1924	1993
Office Clerk	1484	1529	1575	1622	1677	1731
Office Coordinator	1761	1814	1868	1924	1996	2074
Photographer I	1910	1967	2026	2087	2173	2254
Photographer II	2188	2254	2322	2392	2494	2598
Photographer III	2285	2354	2425	2498	2613	2726
Photographic Technician I	1910	1967	2026	2087	2173	2254
Photographic Technician II	2188	2254	2322	2392	2494	2598
Photographic Technician III	2285	2354	2425	2498	2613	2726
Procurement Representative	1761	1814	1868	1924	1996	2074
Property & Supply Clerk I	1484	1529	1575	1622	1674	1727
Property & Supply Clerk II	1581	1628	1677	1727	1780	1846
Property & Supply Clerk III	1696	1747	1799	1853	1924	1993
Property Tax Examiner	1761	1814	1868	1924	1996	2074
Rehabilitation Case Coordinator I	1640	1689	1740	1792	1853	1919
Rehabilitation Case Coordinator II	1761	1814	1868	1924	1996	2074
Reproduction Service Technician I	1535	1581	1628	1677	1733	1791
Reproduction Service Technician II	1761	1814	1868	1924	1996	2074
Reproduction Service Technician III	1910	1967	2026	2087	2173	2254
Safety Responsibility Analyst	2000	2060	2122	2186	2278	2364
Storekeeper I	1895	1952	2011	2071	2149	2235
Storekeeper II	2056	2118	2182	2247	2341	2434
Storekeeper III	2188	2254	2322	2392	2494	2598
Stores Clerk	1532	1581	1628	1677	1733	1791
Switchboard Operator I	1535	1581	1628	1677	1733	1791
Switchboard Operator II	1640	1689	1740	1792	1853	1919
Telecommunications Field-Advisor	2205	2254	2322	2392	2494	2598
Telecommunications Field-Advisor	2517	2593	2671	2751	2883	3016
Head-Worker						
Telecommunicator	2000	2060	2122	2186	2278	2364
Telecommunicator-Command Center	2087	2150	2215	2281	2376	2478
Telecommunicator Call Taker	2188	2254	2322	2392	2494	2598
Telecommunicator Lead Call Taker	2285	2354	2425	2498	2613	2726
Telecommunicator Lead	2517	2593	2671	2751	2883	3016
Specialist						

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Telecommunicator Lead Worker	2188	2254	2322	2392	2494	2598	
Telecommunicator Lead Worker-Command Center	2285	2354	2425	2498	2613	2726	
Telecommunicator Specialist	2285	2354	2425	2498	2613	2726	
Telecommunicator Trainee	1829	1884	1941	1999	2086	2161	
Vehicle Permit Evaluator	1910	1967	2026	2087	2173	2254	
Veterans Service Officer Associate	1910	1967	2026	2087	2173	2254	
S T E P S (cont.)							
	4	5	6	7			
Account Clerk I	1848	1902	1958	2055			
Account Clerk II	1984	2049	2117	2230			
Account Technician I	2243	2323	2406	2540			
Account Technician II	2463	2551	2649	2796			
Administrative Services Worker Trainee	1676	1724	1772	1853			
Aircraft Dispatcher	2463	2551	2649	2796			
Aircraft Lead Dispatcher	2715	2818	2927	3097			
Audio Visual Technician I	1914	1973	2037	2140			
Audio Visual Technician II	2149	2229	2305	2427			
Buyer Assistant	2243	2323	2406	2540			
Check Issuance Machine Operator	2149	2229	2305	2427			
Clerical Trainee	TR						
Communication Dispatcher	2149	2229	2305	2427			
Communication Equipment Technician I	3143	3270	3403	3606			
Communication Equipment Technician II	3520	3668	3821	4052			
Communication Equipment Technician III	3719	3880	4040	4287			
Court Reporter	2838	2954	3064	3247			
Data Processing Assistant	1914	1973	2037	2140			
Data Processing Operator	1780	1841	1890	1988			
Data Processing Operator Trainee	1676	1724	1772	1853			
Drafting Worker	2345	2433	2515	2656			
Electronic Equipment Installer/Repairer	2243	2323	2406	2540			
Electronic Equipment Installer/Repairer Leadworker	2463	2551	2649	2796			
Electronics Technician	2838	2954	3064	3247			
Emergency Response Lead	2463	2551	2649	2796			
Telecommunicator	2243	2323	2406	2540			
Emergency Response							
Telecommunicator	2579	2676	2779	2937			
Engineering Technician II	2989	3113	3238	3429			
Engineering Technician III	2345	2433	2515	2656			
Executive Secretary I	2715	2818	2927	3097			
Graphic Arts Designer							

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Graphic Arts Technician	2463	2551	2649	2796
Industrial Commission Reporter	2989	3113	3238	3429
Industrial Commission Technician	2345	2433	2515	2656
Insurance Analyst I	2149	2229	2305	2427
Insurance Analyst II	2463	2551	2649	2796
Insurance Analyst Trainee	1984	2049	2117	2230
Intermittent Clerk	10.31	10.61	10.90	11.40
Library Aide I	1727	1776	1827	1921
Library Aide II	1848	1902	1958	2055
Library Aide III	1984	2049	2117	2230
Library Technical Assistant	2243	2323	2406	2540
Lottery Telemarketing Representative	2149	2229	2305	2427
Microfilm Laboratory Technician I	1984	2049	2117	2230
Microfilm Laboratory Technician II	2149	2229	2305	2427
Microfilm Operator I	1780	1841	1890	1988
Microfilm Operator II	1914	1973	2037	2140
Microfilm Operator III	2069	2135	2208	2326
Office Aide	1676	1724	1772	1853
Office Assistant	1914	1973	2037	2140
Office Associate	2069	2135	2208	2326
Office Clerk	1780	1841	1890	1988
Office Coordinator	2149	2229	2305	2427
Photographer I	2345	2433	2515	2656
Photographer II	2715	2818	2927	3097
Photographer III	2838	2954	3064	3247
Photographic Technician I	2345	2433	2515	2656
Photographic Technician II	2715	2818	2927	3097
Photographic Technician III	2838	2954	3064	3247
Procurement Representative	2149	2229	2305	2427
Property & Supply Clerk I	1778	1827	1884	1981
Property & Supply Clerk II	1901	1958	2020	2118
Property & Supply Clerk III	2069	2135	2208	2326
Property Tax Examiner	2149	2229	2305	2427
Rehabilitation Case Coordinator I	1984	2049	2117	2230
Rehabilitation Case Coordinator II	2149	2229	2305	2427
Reproduction Service Technician I	1848	1902	1958	2055
Reproduction Service Technician II	2149	2229	2305	2427
Reproduction Service Technician III	2345	2433	2515	2656
Safety Responsibility Analyst	2463	2551	2649	2796
Storekeeper I	2313	2405	2482	2616
Storekeeper II	2534	2627	2715	2869
Storekeeper III	2715	2818	2927	3097
Stores Clerk	1836	1894	1948	2047
Switchboard Operator I	1848	1902	1958	2055
Switchboard Operator II	1984	2049	2117	2230
Telecommunications-Field-Advisor	2898	2954	3064	3247
Telecommunications-Field-Advisor	3149	3270	3403	3606

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Head-Worker

Telecommunicator	2463	2551	2649	2796
Telecommunicator-Command Center	2759	2676	2779	2937
Telecommunicator Call Taker	2715	2818	2927	3097
Telecommunicator Lead Call Taker	2838	2954	3064	3247
Telecommunicator Lead	3143	3270	3403	3606
Specialist				
Telecommunicator Lead Worker	2715	2818	2927	3097
Telecommunicator Lead	2838	2954	3064	3247
Worker-Command Center				
Telecommunicator Specialist	2838	2954	3064	3247
Telecommunicator Trainee	2243	2323	2406	2540
Vehicle Permit Evaluator	2345	2433	2515	2656
Veterans Service Officer Associate	2345	2433	2515	2656

NOTE: Employees subject to the alternative pension formula will be paid at rates that are 3% higher than those stated above.

Maximum Security Institutions Schedule

Effective: July 1, 1999

S T E P S

	lc	lb	la	l	2	3
Account Clerk I	1633	1680	1728	1779	1836	1896
Account Clerk II	1741	1791	1844	1897	1960	2028
Account Technician I	1935	1992	2051	2110	2200	2277
Account Technician II	2112	2173	2237	2303	2398	2486
Administrative Services Worker Trainee	1499	1542	1586	1633	1676	1722
Aircraft Dispatcher	2112	2173	2237	2303	2398	2486
Aircraft Lead	2305	2373	2443	2515	2620	2727
Dispatcher	1685	1735	1785	1836	1897	1957
Audio Visual Technician I						
Audio Visual Technician II	1865	1920	1976	2033	2107	2188
Buyer Assistant	1935	1992	2051	2110	2200	2277
Check Issuance Machine operator	1865	1920	1976	2033	2107	2188
Clerical Trainee	TR					
Communication Dispatcher	1865	1920	1976	2033	2107	2188
Communication Equipment Technician I	2644	2722	2803	2885	3021	3158
Communication Equipment Technician II	2932	3019	3108	3199	3361	3515
Communication Equipment Technician III	3096	3188	3282	3378	3545	3709

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Court Reporter	2405	2476	2549	2624	2743	2859
Data Processing Assistant	1685	1735	1785	1836	1897	1957
Data Processing Operator	1580	1626	1674	1722	1779	1834
Data Processing Operator Trainee	1499	1542	1586	1633	1676	1722
Drafting Worker	2019	2078	2138	2201	2290	2373
Electronic Equipment Installer/Repairer Leadworker	1935	1992	2051	2110	2200	2277
Electronic Equipment Installer/Repairer Leadworker	2112	2173	2237	2303	2398	2486
Electronics Technician	2405	2476	2549	2624	2743	2859
Emergency Response	2112	2173	2237	2303	2398	2486
Lead Telecommunicator						
Emergency Response	1935	1992	2051	2110	2200	2277
Telecommunicator						
Engineering Technician II	2201	2266	2333	2401	2499	2604
Engineering Technician III	2524	2598	2674	2752	2878	3007
Executive Secretary I	2019	2078	2138	2201	2290	2373
Graphic Arts Designer	2305	2373	2443	2515	2620	2727
Graphic Arts Technician	2112	2173	2237	2303	2398	2486
Industrial Commission Reporter	2524	2598	2674	2752	2878	3007
Industrial Commission Technician	2019	2078	2138	2201	2290	2373
Insurance Analyst I	1865	1920	1976	2033	2107	2188
Insurance Analyst II	2112	2173	2237	2303	2398	2486
Insurance Analyst Trainee	1741	1791	1844	1897	1960	2028
Intermittent Clerk (Hourly)	9.22	9.49	9.76	10.05	10.31	10.60
Library Aide I	1538	1582	1628	1676	1722	1779
Library Aide II	1633	1680	1728	1779	1836	1896
Library Aide III	1741	1791	1844	1897	1960	2028
Library Technical Assistant	1935	1992	2051	2110	2200	2277
Lottery Telemarketing Representative						
Microfilm Laboratory Technician I	1865	1920	1976	2033	2107	2188
Microfilm Laboratory Technician II	1741	191	1844	1897	1960	2028
Microfilm Operator I	1580	1626	1674	1722	1779	1834
Microfilm Operator II	1685	1735	1785	1836	1897	1957
Microfilm Operator III	1798	1851	1904	1960	2033	2104
Office Aide	1499	1542	1586	1633	1676	1722
Office Assistant	1685	1735	1785	1836	1897	1957
Office Associate	1798	1851	1904	1960	2033	2104
Office Clerk	1580	1626	1674	1722	1779	1834

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Office Coordinator	1865	1920	1976	2033	2107	2188
Photographer I	2019	2078	2138	2201	2290	2373
Photographer II	2305	2373	2443	2515	2620	2727
Photographer III	2405	2476	2549	2624	2743	2859
Photographic Technician I	2019	2078	2138	2201	2290	2373
Photographic Technician II	2305	2373	2443	2515	2620	2727
Photographic Technician III	2405	2476	2549	2624	2743	2859
Procurement Representative	1865	1920	1976	2033	2107	2188
Property & Supply Clerk I	1580	1626	1674	1722	1776	1830
Property & Supply Clerk II	1680	1728	1779	1830	1885	1953
Property & Supply Clerk III	1798	1851	1904	1960	2033	2104
Property Tax Examiner	1865	1920	1976	2033	2107	2188
Rehabilitation Case Coordinator I	1741	1791	1844	1897	1960	2028
Rehabilitation Case Coordinator II	1865	1920	1976	2033	2107	2188
Reproduction Service Technician I	1633	1680	1728	1779	1836	1896
Reproduction Service Technician II	1865	1920	1976	2033	2107	2188
Reproduction Service Technician III	2019	2078	2138	2201	2290	2373
Safety Responsibility Analyst	2112	2173	2237	2303	2398	2486
Storekeeper I	2003	2062	2123	2185	2265	2354
Storekeeper II	2169	2233	2299	2366	2463	2559
Storekeeper III	2305	2373	2443	2515	2620	2727
Stores Clerk	1629	1677	1725	1776	1830	1884
Switchboard Operator I	1633	1680	1728	1779	1836	1896
Switchboard Operator II	1741	1791	1844	1897	1960	2028
Telecommunications Field Advisor	2405	2476	2549	2624	2743	2859
Telecommunications Field Advisor-Head-Worker	2644	2722	2803	2885	3021	3158
Telecommunicator Center	2112	2173	2237	2303	2398	2486
Telecommunicator Call Taker	2201	2266	2333	2401	2499	2604
Telecommunicator Lead Call Taker	2305	2373	2443	2515	2620	2727
Telecommunicator Lead Specialist	2405	2476	2549	2624	2743	2859
Telecommunicator Lead Worker	2644	2722	2803	2885	3021	3158
Telecommunicator Lead Worker-Command Center	2305	2373	2443	2515	2602	2727
Telecommunicator Specialist	2405	2476	2549	2624	2743	2859

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

Telecommunicator Trainee	1935	1992	2051	2110	2200	2277
Vehicle Permit Evaluator	2019	2078	2138	2201	2290	2373
Veterans Service Officer Associate	2019	2078	2138	2201	2290	2373
S T E P S (cont.)						
	4	5	6	7		
	1955	2011	2068	2168		
	2095	2162	2232	2348		
	2362	2444	2530	2668		
	2588	2679	2780	2931		
	1778	1827	1877	1960		
	2588	2679	2780	2931		
	2848	2954	3066	3241		
	2023	2084	2150	2256		
	2265	2347	2426	2551		
	2362	2444	2530	2668		
	2265	2347	2426	2551		
	3289	3420	3557	3766		
	3677	3830	3987	4225		
	3882	4048	4213	4467		
	2975	3094	3207	3396		
	2023	2084	2150	2256		
	1885	1948	1998	2099		
	1778	1827	1877	1960		
	2467	2557	2642	2787		
	2362	2444	2530	2668		
	2588	2679	2780	2931		
	2975	3094	3207	3396		
	2588	2679	2780	2931		
	2362	2444	2530	2668		
	2708	2808	2914	3077		
	3130	3258	3387	3583		
	2467	2557	2642	2787		
	2848	2954	3066	3241		
	2588	2679	2780	2931		
	3130	3258	3387	3583		
	2467	2557	2642	2787		
	2265	2347	2426	2551		
	2588	2679	2780	2931		
	2095	2162	2232	2348		
	10.94	11.24	11.55	12.06		
	1830	1881	1933	2030		
	1955	2011	2068	2168		
	2095	2162	2232	2348		
	2362	2444	2530	2668		
	2265	2347	2426	2551		

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

2095 2162 2232 2348
2265 2347 2426 2551
1885 1948 1998 2099
2023 2084 2150 2256
2183 2251 2326 2447
1778 1827 1877 1960
2023 2084 2150 2256
2183 2251 2326 2447
1885 1948 1998 2099
2265 2347 2426 2551
2467 2557 2642 2787
2848 2954 3066 3241
2975 3094 3207 3396
2467 2557 2642 2787
2848 2954 3066 3241
2975 3094 3207 3396
2265 2347 2426 2551
1883 1933 1992 2092
2010 2068 2132 2233
2183 2251 2326 2447
2265 2347 2426 2551
2095 2162 2232 2348
2265 2347 2426 2551
1955 2011 2068 2168
2265 2347 2426 2551
2467 2557 2642 2787
2588 2679 2780 2931
2434 2529 2608 2746
2662 2757 2848 3007
2848 2954 3066 3241
1943 2002 2058 2160
1955 2011 2068 2168
2095 2162 2232 2348
2975 3094 3207 3396
3289 3420 3557 3766
2588 2679 2780 2931
2708 2808 2914 3077
2848 2954 3066 3241
2975 3094 3207 3396
3289 3420 3557 3766
2848 2954 3066 3241
2975 3094 3207 3396
2975 3094 3207 3396
2362 2444 2530 2668
2467 2557 2642 2787
2467 2557 2642 2787

(Source: Amended at 24 Ill. Reg. 79 5 6, effective

DEPARTMENT OF CENTRAL MANAGEMENT SERVICES

NOTICE OF ADOPTED AMENDMENT

MAY 23 2000)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: The Taking of Wild Turkeys - Spring Season

2) Code Citation: 17 Ill. Adm. Code 710

3) Section Numbers: 710.28
Adopted Action:
Amendment

4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].

5) Effective Date of Amendments: May 24, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 18, 2000, 24 Ill. Reg. 2577

10) Has JCAR issued a Statement of Objections to these amendments? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements by JCAR? Yes

13) Will this rulemaking replace an emergency amendment currently in effect?
No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: Amendments to this Part remove the Wild Turkey federation local chapter requirements due to failure of the local chapter to participate and remove the limitations on the number of participants allowed.

16) Information and questions regarding these adopted amendments shall be directed to:

Jack Price
Department of Natural Resources
524 S. Second Street, Room 430
Springfield IL 62701-1787
217/782-1809

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER e: LAW ENFORCEMENT

PART 710

THE TAKING OF WILD TURKEYS - SPRING SEASON

Section	
710.5	Hunting Zones
710.10	Hunting Seasons
710.20	Statewide Turkey Permit Requirements
710.21	Turkey Permit Requirements - Special Hunts (Renumbered)
710.22	Turkey Permit Requirements - Landowner/Tenant Permits
710.25	Turkey Permit Requirements - Special Hunts
710.28	Turkey Permit Requirements - Heritage Youth Turkey Hunt
710.30	Turkey Hunting Regulations
710.40	Other Regulations (Repealed)
710.50	Regulations at Various Department Owned or Managed Sites
710.55	Special Hunts for Disabled Hunters
710.60	Releasing or Stocking of Turkeys

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.20, 2.9, 2.10 and 2.11].

SOURCE: Adopted at 4 Ill. Reg. 15, p. 153, effective April 1, 1980; codified at 5 Ill. Reg. 10643; amended at 6 Ill. Reg. 3852, effective March 31, 1982; amended at 7 Ill. Reg. 4208, effective March 25, 1983; amended at 8 Ill. Reg. 5663, effective April 16, 1984; amended at 9 Ill. Reg. 6200, effective April 24, 1985; amended at 10 Ill. Reg. 6848, effective April 4, 1986; amended at 11 Ill. Reg. 2267, effective January 20, 1987; amended at 12 Ill. Reg. 5342, effective March 8, 1988; amended at 13 Ill. Reg. 5090, effective April 4, 1989; amended at 14 Ill. Reg. 663, effective January 2, 1990; amended at 15 Ill. Reg. 4161, effective March 4, 1991; amended at 16 Ill. Reg. 1843, effective January 17, 1992; amended at 17 Ill. Reg. 3184, effective March 2, 1993; amended at 18 Ill. Reg. 1156, effective January 18, 1994; emergency amendment at 18 Ill. Reg. 3751, effective March 1, 1994, for a maximum of 150 days; emergency expired July 29, 1994; amended at 19 Ill. Reg. 2450, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5312, effective April 1, 1995, for a maximum of 150 days; emergency expired August 29, 1995; amended at 20 Ill. Reg. 777, effective December 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 21 Ill. Reg. 3125, effective March 3, 1997; amended at 22 Ill. Reg. 2192, effective January 2, 1998; amended at 22 Ill. Reg. 19568, effective October 23, 1998; amended at 23 Ill. Reg. 11956, effective September 21, 1999; amended at 24 Ill. Reg. 7984, effective MAY 24 2000.

Section 710.28 Turkey Permit Requirements - Heritage Youth Turkey Hunt

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

- a) The Heritage Youth Turkey Hunt is defined as a youth-only turkey hunt. The Heritage Turkey Hunt is open only to Illinois residents who will be at least 10 years of age but not have reached their 16th birthday by the start of the Heritage Turkey Hunt. All participating youths must have completed a Department-approved Hunter Education course. All youth hunters must have a current, valid Heritage Youth Turkey Permit (\$10). For permit application and other information write to: Illinois Department of Natural Resources
Division of Education
Public Events & Promotions
524 S. Second Street, Room 530
Springfield, IL 62701-1787
- b) This program is co-sponsored by the Illinois Department of Natural Resources and the National Wild Turkey Federation (NWTF) and its member chapters. Applicant cannot be a son/daughter/brother-or-sister-of-a-National-Wild-Turkey-Federation-chapter-committee-member. Each applicant must complete the official Department Heritage Youth Turkey Permit application and submit it to a local NWTF chapter. The NWTF chapter will determine which application will be submitted to the Department. Only one application per NWTF chapter will be accepted by the Department. No application will be accepted by the Department which does not have an NWTF chapter endorsement and a \$10 permit fee. Chapters may submit an alternate application in case the first applicant cannot make the event. AGENCY APPROVAL must be printed above the youth's name on the application. The alternate application does not require a permit fee to be submitted with the application.
- d) The NWTF chapter selection process must be open to the public. The season dates and open counties county fees will be determined annually by the Director of the Illinois Department of Natural Resources. The number of permits issued will be in addition to the established county permit quotas. The dates of the application period for permits will be publicly announced annually by the Department.
- e) The applicants must be Illinois residents and not have had their turkey hunting privileges suspended or revoked in this State. If more than one application for an Illinois Heritage Youth Turkey Hunt permit is received from the same person, all applications submitted in that name will be rejected and permits revoked. Successful applicants will be notified by mail when and where they should report to receive their permit. Permits shall be issued at the time of the hunt. All permit holders shall be required to attend an instructional session preceding the hunt.
- h) Each Illinois Heritage Youth Turkey Hunt permit holder is required to be accompanied by a parent/guardian or responsible adult who possesses a valid Firearm Owners Identification (F.O.I.D.) card. The accompanying adult must be present for the permit holder (youth) to hunt. The adult is not allowed to hunt, but may call.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF ADOPTED AMENDMENTS

1) The Heritage Youth Turkey Hunting Permit will only be valid for the

(Source: Amended at 24 Ill. Reg. 7984 - effective

MAY 24 2000)

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

1) Heading of the Part: Financial Assurance Requirements

2) Code Citation: 32 Ill. Adm. Code 326

3) Section Number:

Adopted Action:

326.10	New Section
326.20	New Section
326.30	New Section
326.40	New Section
326.50	New Section
326.60	New Section
326.70	New Section
326.80	New Section
326.90	New Section
326.100	New Section
326.110	New Section
326.120	New Section
326.130	New Section
326.140	New Section
326.150	New Section
326.160	New Section
326.170	New Section
326.180	New Section
326.190	New Section
APPENDIX A	New Section
APPENDIX B	New Section
APPENDIX C	New Section
APPENDIX D	New Section
APPENDIX E	New Section
APPENDIX F	New Section

4) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].

5) Effective Date of Rules: June 1, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted rule, including any material incorporated by reference, is on file at the Department's headquarters located at 1035 Outer Park Drive, Springfield, Illinois and is available for public inspection.

9) Notice of Proposal Published in the Illinois Register: February 14, 2000 (24 Ill. Reg. 2054)

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

10) Has JCAR issued a Statement of Objections to these Rules? No

11) Differences between proposal and final version:

- a) In Section 326.30, line 54, change the word "Sections" to "Section" and delete "93, 326.70(a) or 326.70(b)" and on line 56, change "326.70(c)" to "326.70".
- b) In Section 326.80, line 219, change "326.70" to "326.70(b)".
- c) In Section 326.130, line 527, change "chief executive officer of the company" to "company's chief executive officer".
- d) In Section 326.140, lines 692, 698, 711, 717 and 741, change "EPA" to USEPA".
- e) In Section 326.160, lines 848, 858, and 865, change "EPA" to USEPA".
- f) In Section 326.190, lines 891-892, change "931 and 120 days after June 1, 2000" to "June 1, 2000 and September 30, 2000".
- g) In Section 326.190, lines 892-893, change "120 days after June 1, 2000" to "October 1, 2000".
- h) In Section 326.190, lines 889, 893, 894 and 899, change "the effective date of this Part" to "June 1, 2000".
- i) In Section 326.190, lines 897-898, change "120 days and 365 days after June 1, 2000" to "October 1, 2000 and May 31, 2001."
- j) In Section 326.Appendix A, line 921, change "Ab-125" to "Sb-125".
- k) In Section 326.Appendix B, line 1090, delete "as amended".
- l) In Section 326.Appendix C, line 1187, delete "as amended".
- m) In Section 326.Appendix E, line 1339, delete "as amended".
- n) In Section 326.Appendix E, lines 1430, 1477 and 1535, change "EPA" to USEPA".
- o) In Section 326.Appendix F, line 1706, delete "as amended".
- p) In Section 326.Appendix F, lines 1821 and 1870, change "EPA" to USEPA".
- q) Throughout the appendices, the Department will add "hereinafter called the Department" after "Illinois Department of Nuclear Safety" the

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

first time it appears in each appendix and then just use "Department" continually thereafter.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these rules replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rule: This rule describes procedures and requirements for ensuring that certain licensees using low-level radioactive materials have funds available to properly decontaminate their facilities and dispose of radioactive materials used in their work. Licensees affected by this rulemaking include commercial and industrial firms, research and medical institution and individuals conducting business in Illinois that are authorized to use radioactive material contained in sealed devices. This rule also requires certain licensees to submit a reclamation plan and cost estimate covering the probable extend and cost of radioactive material removal or radiation source removal in the event of contamination and possible offsite property damage.

16) Information and questions regarding these adopted rules shall be directed to:

Robert B. Holtsclaw
Senior Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 524-0770 (voice)
(217) 782-6133 (TDD)

The full text of the adopted rules begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED RULES

TITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTIONPART 326
FINANCIAL ASSURANCE REQUIREMENTS

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AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].

SOURCE: JUN - 1 2000 adopted at 24 Ill. Reg. 7989 effective

Section 326.10 Purpose and Scope

This Part prescribes financial assurance requirements to ensure that specific and general licensees will have sufficient funds to reclaim properties. This Part identifies which licensees must file financial assurance arrangements and describes arrangements acceptable to the Department. This Part is not applicable to licensees subject to 32 Ill. Adm. Code 332 that have financial

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assurance arrangements on file with the Department.
AGENCY NOTE: Throughout this Part, the use of the term "licensee" includes applicants for licensure and existing licensees.

Section 326.20 Incorporations by Reference

All rules, standards and guidelines of agencies of the United States or nationally recognized organizations or associations that are incorporated by reference in this Part are incorporated as of the date specified. Copies of these rules, standards and guidelines that have been incorporated by reference are available for public inspection at the Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois.

Section 326.30 General Provisions

Unless specifically exempted in Section 326.50 of this Part, each general and specific licensee identified in Sections 326.60 and 326.70 of this Part shall provide satisfactory financial assurance arrangements to ensure the protection of health and safety in the event of abandonment, default or other inability of the licensee to meet the requirements of the Radiation Protection Act of 1990 (the Act) [420 ILCS 40] or 32 Ill. Adm. Code: Chapter II, Subchapters b and d. Determination of satisfactory financial assurance arrangements shall be subject to the conditions specified in this Part.

AGENCY NOTE: As used in this Part, the terms "chief executive officer" and "chief financial officer" include other persons with equivalent titles, such as "president", "administrator" or "fiscal officer".

Section 326.40 Definitions

As used in this Part, the following definitions apply:

"Anniversary date" means the last day of the month for each year the license is in effect, which corresponds to the last day of the month in which the license expires.

AGENCY NOTE: For purposes of this Part, the 28th will be considered the last day of the month of February.

"Category III irradiator" means a gamma irradiator in which the sealed source is contained in a storage pool (usually containing water), the sealed source is shielded at all times, and human access to the sealed source and the volume undergoing irradiation is physically restricted in its design configuration and proper mode of use.

"Category IV irradiator" means a controlled human access gamma irradiator in which the sealed source is contained in a storage pool (usually containing water), is fully shielded when not in use and is exposed within a radiation volume that is maintained inaccessible during use by an entry control system.

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"Cost estimate" means a licensee's evaluation of the costs associated with reclamation of a facility or site. Cost estimates are subject to Department review and approval.

"Educational institution" means a non-profit organization which has as its primary purpose the advancement of knowledge in one or more specific fields and which is accredited by the North Central Association Commission on Schools or the North Central Association Commission on Institutions of Higher Education.

"Financial assurance arrangement" means a method of guaranteeing that reclamation costs will be paid. A financial assurance arrangement consists of a surety bond, an irrevocable letter of credit, a certificate of deposit, a self-guarantee, a parent company guarantee, a combination of such arrangements or other financial arrangements approved in writing by the Department.

"General licensee" means a person who possesses a generally licensed device as defined in this Section.

"Generally licensed devices" means gauges containing sealed sources equal to or greater than 37 MBq (1 mCi) of radioactive material possessed by persons licensed pursuant to 32 Ill. Adm. Code 330.220(b).

AGENCY NOTE: Although general licensees may be required to provide information to the Department, only general licensees possessing the types of devices defined in this Section are required to address financial assurance requirements specified in this Part.

"Major possessor" means a person who is licensed to use, possess or store radioactive material with half-lives greater than 275 days, as either sealed or unsealed sources in quantities exceeding the quantities specified in Appendix A of this Part.

"Reclamation" means decontamination of facilities and sites and disposal of radioactive material such that the property is returned to a state that no longer presents a radiological health or safety hazard to persons, or a threat to the environment.

AGENCY NOTE: For purposes of this Part, the term "reclamation" includes, but is not limited to, those activities necessary to decommission the licensed facility to allow termination of the license.

Section 326.50 Exemptions

- a) Radioactive material possessed or used by the following persons is not subject to this Part:

- 1) All State, local or other government entities;

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AGENCY NOTE: For purposes of this Section, "government entities" shall not include federal or State contractors, or non-governmental recipients of government funds.

- 2) Educational institutions;
- 3) Licensees not authorized to possess or use radioactive material in Illinois;
- 4) Licensees with no permanent storage or use facilities in Illinois; or
- 5) Licensees using radioactive material within Illinois under reciprocal recognition of an out-of-state license as specified in 32 Ill. Adm. Code 330.900.

- b) Radioactive material in the following forms is not subject to this Part:

- 1) Radioactive material for use in gas chromatographs, benchtop analytical laboratory instruments, x-ray fluorescence analyzers, static elimination devices and self-luminous exit signs;
- 2) Sealed sources for exchange into a device, provided that the sources do not concurrently remain in the licensee's possession for more than 30 days;
- 3) Radioactive noble gases;
- 4) Depleted uranium prefabricated as shielding;
- 5) Radioactive material with half-lives of 30 days or less;
- 6) Radioactive material with atomic numbers less than or equal to 82 in the form of sealed sources, in quantities less than or equal to 37 MBq (1 mCi) per source, not to exceed 185 MBq (5 mCi) total; or
- 7) Radioactive material with atomic numbers greater than or equal to 83 in the form of sealed sources, in quantities less than or equal to 185 kBq (50 uCi) per source, not to exceed 37 MBq (1 mCi) total.

- c) Except for low-level radioactive waste licensees as described in Section 326.60 of this Part, radioactive material with half-lives greater than 30 days, but less than or equal to 275 days, in the following forms, is not subject to this Part:

- 1) Radioactive material in forms other than noble gases or sealed sources, in quantities not to exceed 37 GBq (1 Ci) per nuclide; and
 - 2) Radioactive material in the form of a sealed source.
- d) Except for licensees specified in Sections 326.60 and 326.70 of this Part, specific or general licensees that possess or use radioactive material with half-lives greater than 275 days, in the form of sealed sources in quantities less than 37 GBq (1 Ci) per source, but not exceeding the applicable quantities specified in Appendix A of this Part, are not subject to this Part.

Section 326.60 Low-Level Radioactive Waste Licensees

Waste handling licensees as defined in 32 Ill. Adm. Code 310.20, such as

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low-level radioactive waste treatment or disposal facilities, or centralized low-level radioactive waste storage licensees, shall submit a reclamation plan and a cost estimate for approval by the Department as described in Section 326.80 of this Part and secure a financial assurance arrangement for the amount specified in the Department-approved cost estimate. Such licensees shall ensure the cost estimate encompasses all radioactive material authorized by the license, except for radioactive material specifically exempted in Section 326.50(b) of this Part. The exemptions specified in Section 326.50(c) and (d) of this Part are not applicable to the licensees described in this Section.

Section 326.70 Financial Assurance Amounts

Unless specified in Section 326.60 of this Part, the following specific and general licensees are required to secure a financial assurance arrangement in the amounts described in this Section:

- a) Unless specified in subsection (b) of this Section, for specific or general licensees that possess or use radioactive material in the form of sealed sources in quantities greater than or equal to 37 GBq (1 Ci) per source, but not exceeding the quantities specified in Appendix A of this Part, the minimum amount is \$25,000.
- b) The following licensees shall submit a reclamation plan as described in Section 326.80 of this Part, and a cost estimate for approval by the Department. When approved, the licensee shall secure a financial assurance arrangement in the amount specified on the Department-approved cost estimate:
 - 1) Major possessors as defined in Section 326.40 of this Part;
 - 2) Persons who possess radioactive material in forms other than noble gases or sealed sources with half-lives greater than 30 days, but less than or equal to 275 days, in quantities exceeding 37 GBq (1 Ci) per nuclide;
 - 3) Persons who possess source material tailings or sludge;
 - 4) Category III or IV irradiators;
 - 5) Persons who use particle accelerators to manufacture radionuclides for distribution to other licensees or customers; and
 - 6) Facilities owned or operated by the U.S. Department of Energy (DOE) or its contractors or subcontractors, if subject to the regulatory control of the Department. Contractors or subcontractors of DOE who may perform work that is not a direct function of the DOE operation are subject to other financial assurance requirements as provided for in this Part.

AGENCY NOTE: Licensees subject to 32 Ill. Adm. Code 332 are required to meet the financial assurance requirements specified in 32 Ill. Adm. Code 332.260, and therefore are not subject to this Part.

Section 326.80 Cost Estimates and Reclamation Plans

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Licensees required to perform cost estimates, as described in Sections 326.60 and 326.70(b) of this Part, shall submit reclamation plans and cost estimates to the Department for approval prior to securing financial assurance arrangements. The Department shall allow material described in Section 326.50(b) of this Part as exempt to be excluded from financial assurance estimates. The plan shall describe reclamation actions to be taken in order to terminate the license in accordance with the requirements of 32 Ill. Adm. Code 330. The Department shall consider, but is not limited to, the following in approving the reclamation plan and cost estimates, and determining the financial assurance requirements for each individual licensee:

- a) The probable extent of contamination resulting from the use or possession of radioactive material as authorized by a radioactive material license at the facility or site, and the probable cost of removal of such contamination in order to terminate the license in accordance with the requirements of 32 Ill. Adm. Code 330. This consideration shall encompass probable contaminating events associated with the licensee's methods or modes of operation and shall be based on factors such as quantities, half-lives, radiation hazards and toxicities, and chemical and physical forms;
- b) The extent of possible offsite property damage caused by operation of the facility or site that is to be reclaimed;
- c) The cost and method of removal and disposal of radioactive material and sources of radiation which are or would be generated, stored, processed, or otherwise present at the facility or site; and
- d) The costs and methods involved in reclamation of the site or the property on which the facility is located and all other properties contaminated by radioactive material authorized by the license.

Section 326.90 Financial Assurance Arrangements

The following rules shall apply to applicants for specific licenses and general and specific licensees required to secure and file financial assurance arrangements with the Department:

- a) The licensee or applicant shall choose from the financial assurance arrangements specified in Sections 326.100 through 326.160 of this Part.
- b) The wording of the financial assurance arrangement shall contain the provisions described in this Part, and may use wording identical to the wording of the corresponding arrangement in Appendices B through F of this Part. No additional restrictions may be placed on any financial assurance arrangement filed with the Department.
- c) The financial assurance arrangements shall be provided to and filed with the Department in a dollar amount greater than or equal to either the amount specified in Section 326.70(a) of this Part or the amount specified in a cost estimate approved by the Department.
 - 1) The financial assurance arrangements may be reviewed annually by the Department. The Department may require the licensee to adjust the value of the financial assurance arrangements to

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recognize any increases or decreases resulting from inflation or deflation, changes in engineering plans, activities performed and any other condition affecting costs for reclamation. Such changes will be required to ensure that sufficient financial assurance amounts are provided and retained to cover cost of reclamation.

2) When a change in activities not requiring a license amendment would raise the cost estimate for reclamation to an amount greater than the amount of the financial assurance arrangements currently filed with the Department, the licensee shall notify the Department within 60 days after the increase. This notification shall include submission of revised cost estimates and reclamation plans for Department review and approval. Upon approval of the revised cost estimates, the licensee may be required to file additional financial assurance arrangements at least equal to this increase.

3) When a license amendment would raise the cost estimate for reclamation to an amount greater than the amount of the financial assurance arrangements currently filed with the Department, the amendment shall be held until the required financial assurance arrangements are established.

4) When the current reclamation cost estimate decreases, upon the written request of the licensee, and provided that the decrease is verified by the Department, the Department shall authorize the reduction in the amount of financial assurance required for the facility to the amount of the approved amended reclamation cost estimate. Upon such occurrence, the Department shall allow the licensee to substitute new arrangements in the reduced amount for the arrangements on file.

5) For specific licensees, the term of the financial assurance arrangement shall be for the period from issuance of the license until termination of the license by the Department in accordance with 32 Ill. Adm. Code 330.

6) For general licensees, the term of the financial assurance arrangement shall be for the period from approval of the financial assurance arrangement until all devices covered by the instrument have been properly transferred or disposed of.

7) Upon termination of the license, the Department will release all financial assurance arrangements not drawn upon pursuant to Section 326.180 of this Part.

d) Use of Multiple Financial Assurance Arrangements. The licensee or applicant may utilize more than one financial assurance arrangement per facility to satisfy the requirement specified in this Section. Unless agreed otherwise by the Department and the licensee, financial assurance arrangements may be drawn upon in any order determined by the Department. The arrangements shall be as specified in Appendix B of this Part, and the sum value of all arrangements shall be in an amount greater than or equal to either the amount specified in Section

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326.70(a) of this Part, or the amount specified in a cost estimate approved by the Department.

- e) Use of a Financial Assurance Arrangement for Multiple Facilities or Multiple Licensees at a Facility. The licensee or applicant may use a financial assurance arrangement specified in Appendix B of this Part to meet the requirements of this Section for more than one license, or more than one facility owned or operated in Illinois. The arrangement submitted to the Department shall include a list indicating, for each facility, the registration numbers, license numbers, names, addresses and amounts of funds for reclamation assured by the arrangement. The amount of funds available through the financial assurance arrangement shall not be less than the aggregate total of the funds that would be available if separate arrangement had been filed and maintained for each license or facility. If more than one license exists for a facility, the amount of funds for each license shall be specified.
- f) Any applicant or licensee who fulfills the requirements of this Section by obtaining a surety bond or letter of credit will be deemed to be without the required financial assurance arrangement in the event of commencement of bankruptcy proceedings involving the issuing institution, or a suspension, termination, or revocation of the authority of the institution issuing the surety bond or letter of credit to issue such instruments. The applicant or licensee shall establish other Department-approved financial assurance arrangements within 30 days after such an event.

Section 326.100 Surety Bond as a Financial Assurance Arrangement

If a licensee elects to satisfy the requirement of Section 326.90 of this Part by securing a surety bond, that bond shall conform to the following requirements:

a) The surety company issuing the bond shall be among those listed as acceptable sureties or reinsurers on federal bonds in Circular 570 of the U.S. Department of Treasury, entitled "Surety Companies Acceptable On Federal Bonds", revised as of July 1, 1999.

b) The wording of the surety bond shall contain the substantive provisions specified in Appendix B of this Part. Additional conditions may be agreed to between the licensee and the surety company so long as no requirement of this Part is avoided or altered and no additional requirements are placed upon the Department.

c) The surety bond shall guarantee that:

- 1) Funds will be available, whenever required by the Department, in order to terminate the license in accordance with the requirements of 32 Ill. Adm. Code 330;
- 2) The surety waives notification of amendments to licenses, applicable laws, statutes, rules and regulations and agrees that no such amendment shall in any way alleviate its obligation on the bond; and
- 3) The licensee shall provide alternative financial assurance

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arrangements as specified in Section 326.170 of this Part prior to cancellation or termination of the bond.

- d) Under the terms of the bond, the surety shall become liable on the bond obligation when the licensee fails to perform as guaranteed by the bond. Upon a determination by the Department that the licensee has failed to so perform, the surety shall perform reclamation to the satisfaction of the State as guaranteed by the bond or shall pay the amount of the penal sum to the Department.
- e) The penal sum of the bond shall be in an amount, after considering other financial assurance arrangements established in accordance with this Part, sufficient to provide the necessary funds in order to terminate the license in accordance with the requirements of 32 Ill. Adm. Code 330.
- f) The surety may cancel the bond by sending notice of cancellation by certified mail, return receipt requested, to the licensee and to the Department. Cancellation shall not occur, however, during the 180 days beginning on the date after receipt of the notice of cancellation by both the licensee and the Department, as evidenced by the return receipts. During such period, the licensee shall obtain replacement financial assurance as provided in Section 326.170 of this Part. Upon notification by the Department that the licensee has failed to obtain replacement financial assurance approved by the Department, the surety shall pay the amount of the penal sum to the Department.
- g) The surety shall not be liable for the deficiency in the performance of reclaiming after the Department has determined satisfactory reclaiming has occurred.
- h) The licensee may terminate the bond by sending written notice to the surety, provided, however, that no such notice shall become effective until the surety receives written authorization from the Department for the termination of the bond. The Department shall not authorize termination until the licensee has either provided replacement financial assurance arrangements in accordance with Section 326.170 of this Part or the Department has determined satisfactory reclaiming has occurred.
- i) The bond shall be accompanied by a letter from the licensee referring to the bond by number, issuing institution and date and providing the following information: the radioactive material license numbers, names and addresses of the facilities and the amount of funds for each license assured for reclaiming of the facilities by the surety bond.

Section 326.110 Letter of Credit as a Financial Assurance Arrangement

If a licensee elects to satisfy the financial assurance requirements of Section 326.90 of this Part by filing an irrevocable standby letter of credit, the irrevocable standby letter of credit supporting this guarantee shall conform to the following requirements:

- a) The institution issuing the letter of credit shall be an entity that has the authority to issue letters of credit and whose letter of

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credit operations are regulated and examined by a federal or Illinois agency.

- b) The wording of the letter of credit shall contain the substantive provisions specified in Appendix C of this Part. Additional conditions may be agreed to between the licensee and the issuing institution so long as no requirement of this Part nor required provision is avoided or altered and no additional requirements are placed on the Department.
- c) The letter of credit shall be accompanied by a letter from the licensee referring to the letter of credit by number, issuing institution and date and providing the following information: the radioactive material license numbers, names and addresses of the facilities and the amount of funds for each license assured for reclaiming of the facilities by the letter of credit.
- d) The letter of credit shall be irrevocable and issued for a period of at least 1 year. The expiration date of the letter of credit shall be automatically extended for a period of at least 1 year unless, at least 180 days before the current expiration date, the issuing institution notifies both the licensee and the Department by certified mail, return receipt requested, of a decision not to extend the expiration date. The 180 days will begin on the date when both the licensee and the Department have received the notice, as evidenced by the return receipts. Unless released by the Department, the Department may draw upon this letter of credit if a new letter of credit or other financial assurance arrangements, approved in writing by the Department, is not furnished 60 days prior to the expiration date. The Department may delay the drawing if the issuing institution grants an extension of the term of this letter of credit. During the last 30 days of any extension, the Director may draw on this letter of credit if the licensee has failed to provide an alternative financial assurance arrangement approved in writing by the Department.
- e) The letter of credit shall be in an amount, after considering other financial assurance arrangements that are in place, sufficient to provide the necessary funds in order to terminate the license in accordance with the requirements of 32 Ill. Adm. Code 330.
- f) The Director may draw on the letter of credit as provided in Section 326.180 of this Part. The Director may also draw on the letter of credit if the licensee does not establish alternative financial assurance arrangements as specified in Section 326.170 of this Part.

Section 326.120 Certificate of Deposit as a Financial Assurance Arrangement

If a licensee elects to satisfy the financial assurance requirements of Section 326.90 of this Part by filing a certificate of deposit, the certificate of deposit supporting this guarantee shall conform to the following requirements:

- a) The institution issuing the certificate of deposit shall be an entity that has the authority to issue certificates of deposit and whose certificate of deposit operations are regulated and examined by a

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federal or State agency.

b) The wording of the certificate of deposit shall contain the substantive provisions specified in Appendix D of this Part. Additional provisions may be included so long as no requirement of this Part is avoided or altered and no additional requirements are placed upon the Department.

c) The certificate of deposit shall be accompanied by a letter from the licensee referring to the certificate of deposit by number, issuing institution and date and providing the following information:

1) The letter shall reference the radioactive material license numbers, names and addresses of the facilities and the amount of funds assured for reclaiming of the facilities by the certificate of deposit; and

2) The letter shall state that the licensee conveys, transfers, pledges, hypothecates and grants a security interest in and to the certificate to the Department.

d) The certificate of deposit shall be issued for a period of at least 1 year. The certificate of deposit shall provide that the certificate will be automatically renewed for a period of 1 year unless, at least 180 days before the current expiration date, the issuing institution notifies both the licensee and the Department by certified mail, return receipt requested, of a decision not to renew the certificate. The 180 days will begin on the date when both the licensee and the Department have received notice, as evidenced by the return receipts. Unless the Department provides written notice to the issuing institution that the licensee has provided substitute financial assurance acceptable to the Department as specified in Section 326.170 of this Part, the issuing institution shall, upon maturity of a certificate of deposit that is not being renewed, pay to the Department the amount deposited under the certificate of deposit. The Department may delay the drawing if the issuing institution grants an extension of the term of the credit. During the last 30 days of any extension, the Director may draw on the certificate of deposit if the licensee has failed to provide alternative financial assurance arrangements as specified in Section 326.170 of this Part and obtain written approval of such arrangements from the Department.

e) The certificate of deposit shall be in an amount, after considering other financial assurance arrangements that are in place, sufficient to provide the necessary funds in order to terminate the license in accordance with the requirements of 32 Ill. Adm. Code 330.

f) Interest accrued on a certificate of deposit shall be paid directly to the licensee and shall not automatically increase the amount of any certificate of deposit on file with the Department.

Section 326.130 Self-Guarantee as a Financial Assurance Arrangement

a) Except as provided in subsection (b) of this Section, each licensee electing to use self-guarantee as a financial assurance arrangement

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shall be subject to the following requirements:

1) The company shall not have a parent company holding majority control of its voting stock.

2) The company shall have at least one class of equity securities registered under the Securities Exchange Act of 1934.

3) The company shall submit a financial test, independently audited financial statements and other documents demonstrating that it passes the financial tests prescribed in Section 326.140 of this Part. At a minimum, documentation shall include the following:

A) A self-guarantee as described in Appendix E of this Part, signed by the company's chief executive officer;

B) A letter, as described in Appendix E of this Part, from the company's chief executive officer;

C) A letter, as described in Appendix E of this Part, from the company's chief financial officer demonstrating that the company passes the financial tests specified in Section 326.140 of this Part;

D) The company's audited financial statements for the most recently completed fiscal year, including an independent auditor's report on the financial statements; and

E) An independent auditor's special report, as described in Appendix E of this Part, stating that the certified public accountant has compared the amounts specified in the chief financial officer's letter with corresponding amounts in the audited year-end financial statements, and found no reason to believe that the amounts in the letter from the chief financial officer need to be adjusted.

4) The company's independent certified public accountant shall have compared the data used by the company in the financial test, which is required to be derived from the independently audited year end financial statements for the latest fiscal year, with the amounts in such financial statement. In connection with that procedure, the company shall inform the Department within 90 days of any matters coming to the attention of the auditor that cause the auditor to believe that the data specified in the financial test should be adjusted and that the licensee no longer passes the test.

5) For commercial companies that issue bonds, the licensee shall provide notice in writing to the Department within 20 days after publication of a change by the rating service if, at any time, the company's most recent bond issuance ceases to be rated in any category of "A" or above by either Standard and Poor's or Moody's. If the company's most recent bond issuance ceases to be rated in any category A or above by both Standard and Poor's and Moody's, the licensee no longer meets the requirement of Section 326.140(a) of this Part. The licensee shall secure replacement financial assurance arrangements in accordance with Section 326.170 of this Part.

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- 6) After the initial financial test, the company shall repeat passage of the test within 90 days after the close of each succeeding fiscal year, and provide the documents specified in subsection (a)(3) of this Section.
- 7) If the licensee no longer meets the requirements of the applicable financial tests in Section 326.140 of this Part, the licensee shall send notice to the Department of its intent to establish alternative financial assurance. The notice shall be sent by certified mail, return receipt requested, within 90 days after the end of the fiscal year for which the year end financial data demonstrates that the licensee no longer meets the financial test requirements. The licensee shall secure alternative financial assurance within 120 days after the end of such fiscal year.
- 8) The guarantee shall remain in force unless the licensee sends notice of cancellation by certified mail, return receipt requested, to the Department. Cancellation shall not occur until either a replacement financial assurance arrangement is submitted and approved by the Department or the Department confirms that the licensee has performed reclaiming in accordance with 32 Ill. Adm. Code 330.
- 9) The guarantee and financial test provisions specified in Section 326.140 of this Part shall remain in effect until the Department has terminated the license, or until a replacement financial assurance arrangement is accepted by the Department in accordance with Section 326.170 of this Part.
- b) For hospitals, in lieu of the requirements in subsection (a) of this Section, a hospital seeking to use self-guarantee as a financial assurance arrangement may satisfy the following requirements:
 - 1) The hospital shall submit a financial test, independently audited financial statements, and other documents demonstrating that it passes the financial tests prescribed in Section 326.140(c) of this Part. At a minimum, documentation shall include the following:
 - A) A self-guarantee, as described in Appendix E, signed by the chief executive officer of the hospital;
 - B) A letter, as described in Appendix E, from the hospital's chief executive officer;
 - C) A letter, as described in Appendix E, from the hospital's chief financial officer, demonstrating that the hospital passes the financial tests specified in Section 326.140(b) of this Part;
 - D) The hospital's audited financial statements for the most recently completed fiscal year, including an independent auditor's report on the financial statements;
 - E) An independent auditor's special report, as described in Appendix E of this Part, stating that the certified public accountant has compared the amounts specified in the chief

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- financial officer's letter with the corresponding amounts in the audited year-end financial statements, and found no reason to believe that the amounts in the letter from the chief financial officer need to be adjusted.
- 2) The hospital's independent certified public accountant shall have compared the data used by the licensee in the financial test, which is required to be derived from the independently audited year end financial statements for the latest fiscal year, with the amounts in such financial statement. In connection with that procedure, the licensee shall inform the Department within 90 days of any matters coming to the attention of the auditor that cause the auditor to believe that the data specified in the financial test should be adjusted and that the licensee no longer passes the test.
 - 3) For hospitals that issue bonds, if at any time the hospital's most recent bond issuance ceases to be rated in any category of "A" or above by either Standard and Poor's or Moody's, the licensee shall provide notice in writing to the Department within 20 days after publication of a change by the rating service. If the hospital's most recent bond issuance ceases to be rated in any category A or above by both Standard and Poor's and Moody's, the licensee no longer meets the requirements of Section 326.140(b) of this Part. The licensee shall secure replacement financial assurance arrangements in accordance with Section 326.170 of this Part.
 - 4) After the initial financial test, the hospital shall, within 90 days after the close of each succeeding fiscal year, repeat passage of the test and provide the documents specified in subsection (b)(1) of this Section.
 - 5) If the hospital no longer meets the requirements of the applicable financial tests in Section 326.140(c) of this Part, the licensee shall send notice to the Department of its intent to establish alternative financial assurance as specified in Section 326.170 of this Part. The notice shall be sent by certified mail, return receipt requested, within 90 days after the end of the fiscal year for which the year end financial data demonstrates that the licensee no longer meets the financial test requirements. The licensee shall secure alternative financial assurance within 120 days after the end of such fiscal year.
 - 6) The guarantee shall remain in force unless the licensee sends notice of cancellation by certified mail, return receipt requested, to the Department. Cancellation shall not occur until either a replacement financial assurance arrangement is submitted in accordance with Section 326.170 of this Part or the Department confirms that the licensee has performed reclaiming in accordance with 32 Ill. Adm. Code 330.
 - 7) The guarantee and financial test provisions specified in Section 326.140(b) of this Part shall remain in effect until the

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Department has terminated the license or until a replacement financial assurance arrangement is accepted by the Department in accordance with Section 326.170 of this Part.

Section 326.140 Financial Tests for Self-Guarantee

A licensee may provide assurance of the availability of funds for reclaiming based on furnishing its own guarantee that funds will be available for reclaiming costs, provided that the licensee can demonstrate that it meets the applicable financial tests identified in this Section. For commercial corporations that issue bonds, a guarantee of funds may be used if the licensee meets the tests as specified in subsection (a) of this Section. For commercial corporations that do not issue bonds, a guarantee of funds may be used if the licensee meets the tests as specified in subsection (b) of this Section. For hospitals, a guarantee of funds may be used if the licensee meets the tests as specified in subsection (c) of this Section. A guarantee by the licensee may not be used in any situation where the licensee has a parent company holding majority control of the voting stock of the company.

- a) For commercial companies that issue bonds, to pass the financial test, the company shall demonstrate it meets all of the following criteria:
 - 1) Tangible net worth at least 10 times the total current reclaiming cost estimate for all decommissioning activities for which the company is responsible under a parent company guarantee, a self-guarantee or a commitment to another regulatory agency (e.g., USEPA).
 - 2) Assets located in the United States amounting to at least 90 percent of total assets or at least 10 times the total current reclaiming cost estimate for all decommissioning activities for which the company is responsible under a parent company guarantee, a self-guarantee or a commitment to another regulatory agency (e.g., USEPA).
 - 3) A current rating for its most recent uninsured, uncollateralized and unencumbered bond issuance of AAA, AA or A as issued by Standard and Poor's, or Aaa, Aa or A as issued by Moody's.
- b) For commercial companies that do not issue bonds, to pass the financial test, the company shall demonstrate it meets all of the following criteria:
- 1) Tangible net worth greater than \$10 million, or at least 10 times the total current reclaiming cost estimate, whichever is greater, for all decommissioning activities for which the company is responsible under a parent company guarantee, a self-guarantee or a commitment to another regulatory agency (e.g., USEPA).
 - 2) Assets located in the United States amounting to at least 90 percent of total assets or at least 10 times the total current reclaiming cost estimate for all decommissioning activities for which the company is responsible under a parent company guarantee, a self-guarantee or a commitment to another regulatory agency (e.g., USEPA).

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- 3) The (sum of net income plus depreciation, depletion and amortization) divided by total liabilities shall be greater than 0.15 and total liabilities divided by net worth shall be less than 1.5.
- c) For hospitals to pass the financial test, a hospital shall meet either the criteria in subsection (c)(1) or (2) of this Section:
 - 1) For hospitals that issue bonds, a current rating for its most recent uninsured, uncollateralized and unencumbered bond issuance of AAA, AA or A as issued by Standard and Poor's, or Aaa, Aa or A as issued by Moody's.
 - 2) For hospitals that do not issue bonds, all of the following tests shall be met:
 - A) (Total revenues less total expenditures) divided by total revenues shall be equal to or greater than 0.04.
 - B) Long term debt divided by net fixed assets shall be less than or equal to 0.67.
 - C) (Current assets and depreciation fund) divided by current liabilities shall be equal to or greater than 2.55.
 - D) Operating revenues shall be at least 100 times the total current reclaiming cost estimate for all reclaiming activities for which the hospital is responsible under a parent company guarantee, a self-guarantee or a commitment to another regulatory agency (e.g., USEPA).

Section 326.150 Parent Company Guarantee as a Financial Assurance Arrangement

Each licensee electing to use a parent company guarantee as a financial assurance arrangement shall be subject to the following requirements:

- a) The guarantor shall be a direct parent holding more than 50 percent of the voting stock of the licensee. A company shall not serve as a guarantor to a division of the company.
- b) Each licensee electing to use a parent company guarantee as a financial assurance arrangement shall submit a financial test, independently audited financial statements and other documents demonstrating that it passes the financial tests prescribed in Section 326.160 of this Part. At a minimum, documentation shall include all of the following:
 - 1) A parent company guarantee agreement, as described in subsection (b)(5) of Appendix F of this Part, signed by the chief executive officer of the guarantor, that states in part that, if the licensee fails to conduct required reclamation activities, the parent company shall either:
 - A) Conduct the required activities, or
 - B) Pay the guaranteed amount to the Department as directed by the Director;
 - 2) A copy of corporate bylaws, a letter, or other evidence indicating that the guarantor is the parent company of the licensee and that the guarantor has majority control of the

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licensee's voting stock;

- 3) A letter, as described in subsection (a) of Appendix F of this Part, from the parent company's chief executive officer;
- 4) A letter from the parent company's chief financial officer, as described in subsection (a) of Appendix F of this Part, demonstrating that the company passes the financial tests specified in Section 326.160 of this Part;
- 5) The parent company's audited financial statements for the most recently completed fiscal year, including an independent auditor's report on the financial statements; and
- 6) An independent auditor's special report, as described in subsection (d) of Appendix F of this Part, stating that the certified public accountant has compared the amounts specified in the letter from the chief financial officer with corresponding amounts in the audited year-end financial statements, and found no reason to believe that the amounts in the letter from the chief financial officer need to be adjusted.
- c) The parent company's independent certified public accountant shall have compared the data used by the parent company in the financial test, which shall be derived from the independently audited year end financial statements for the latest fiscal year, with the amounts in such financial statement. In connection with that procedure, the licensee shall inform the Department within 90 days of any matters coming to the attention of the auditor that cause the auditor to believe that the data specified in the financial test should be adjusted and that the parent company no longer passes the test.
- d) After the initial financial test, the parent company shall repeat passage of the test within 90 days after the close of each succeeding fiscal year, and shall provide the documentation specified in subsection (b) of this Section.
- e) If the licensee's parent company no longer meets the requirements of the applicable financial tests in Section 326.160 of this Part, the licensee shall send notice to the Department of its intent to establish alternative financial assurance as specified in Section 326.170 of this Part. The notice shall be sent by certified mail, return receipt requested, within 90 days after the end of the fiscal year for which the year end financial data demonstrates that the parent company no longer meets the financial test requirements. The licensee shall secure alternative financial assurance within 120 days after the end of such fiscal year.
- f) The guarantee shall remain in force unless the licensee sends notice of cancellation by certified mail, return receipt requested, to the Department. Cancellation shall not occur until either a replacement financial assurance arrangement is submitted in accordance with Section 326.170 of this Part or the Department confirms that the licensee has performed reclaiming in accordance with 32 Ill. Adm. Code 330.
- g) The guarantee and financial test provisions specified in Section

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326.160 of this Part shall remain in effect until the Department has terminated the license, or until a replacement financial assurance arrangement is accepted by the Department in accordance with Section 326.170 of this Part.

Section 326.160 Financial Tests for Parent Company Guarantee

A licensee may provide assurance of the availability of funds for reclaiming based on obtaining a parent company guarantee that funds will be available for reclaiming costs, provided that the parent company can demonstrate that it meets the applicable financial tests identified in this Section. To pass the financial test, the parent company shall demonstrate it meets the criteria specified in either subsection (a) or (b) of this Section.

- a) The parent company shall have:
 - 1) Two of the following three ratios:
 - A) A ratio of total liabilities to net worth less than 2.0;
 - B) A ratio of the sum of net income plus depreciation, depletion and amortization to total liabilities greater than 0.1;
 - C) A ratio of current assets to current liabilities greater than 1.5;
 - 2) Net working capital and tangible net worth, each at least 6 times the total current reclamation cost estimate for all decommissioning activities for which the company is responsible under a parent company guarantee, a self-guarantee or a commitment to another regulatory agency (e.g., USEPA);
 - 3) Tangible net worth of at least \$10 million; and
 - 4) Assets located in the United States amounting to at least 90 percent of total assets or at least 6 times the total current reclamation cost estimate for all decommissioning activities for which the company is responsible under a parent company guarantee, a self-guarantee or a commitment to another regulatory agency (e.g., USEPA).
- b) Or the parent company shall have:
 - 1) A current rating for its most recent uninsured, uncollateralized and unencumbered bond issuance of AAA, AA, A or BBB as issued by Standard and Poor's, or Aaa, Aa, A or Baa as issued by Moody's;
 - 2) Tangible net worth of at least 6 times the total current reclamation cost estimate for all decommissioning activities for which the company is responsible under a parent company guarantee, a self-guarantee or a commitment to another regulatory agency (e.g., USEPA);
 - 3) Tangible net worth of at least \$10 million; and
 - 4) Assets located in the United States amounting to at least 90 percent of total assets or at least 6 times the total current reclamation cost estimate for all decommissioning activities for which the company is responsible under a parent company guarantee, a self-guarantee or a commitment to another regulatory agency (e.g., USEPA);

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agency (e.g., USEPA).

Section 326.170 Modification or Replacement of Financial Assurance Arrangements

The licensee shall not substitute, modify or replace financial assurance arrangements filed with the Department without prior approval by the Department.

- a) Substitute or replacement financial assurance arrangements shall meet the requirements of this Part.
- b) Proposed modifications to financial assurance arrangements already filed with the Department shall be submitted in writing to the Department for approval.
- c) Existing financial assurance arrangements shall not be released by the Department until the proposed modifications or replacement financial assurance arrangements have been approved and filed in accordance with Section 326.90 of this Part.

Section 326.180 Drawing on Financial Assurance Arrangements

If a licensee fails to perform required reclamation activities or fails to obtain substitute or replacement financial assurance arrangements approved by the Department, the Department will exercise its rights under the applicable financial assurance arrangement. Notice of the Department's action shall be provided to the licensee at the address on file with the Department.

Section 326.190 Implementation

The following procedures shall apply in implementing this Part:

- a) No new specific licenses shall be issued by the Department after June 1, 2000, unless all financial assurance requirements have been addressed as specified in this Part.
- b) All specific licensees with anniversary dates on and between June 1, 2000 and September 30, 2000 shall submit, prior to October 1, 2000, the amount of financial assurance specified in Section 326.70 of this Part, or a reclamation plan and cost estimate for approval by the Department, or updates to financial assurance arrangements currently on file.
- c) All specific licensees with anniversary dates between October 1, 2000 and May 31, 2001 shall submit, prior to their anniversary date, the amount of financial assurance specified in Section 326.70 of this Part, or a reclamation plan and cost estimate for approval by the Department, or updates to financial assurance arrangements currently on file.
- d) All specific licensees shall review their financial assurance arrangements at the time of renewal or when there is a change to the radiation safety program that would impact the amount of financial assurance on file with the Department.

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- e) Financial assurance arrangements for generally licensed devices shall be due within 90 days from the date of notification by the Department.

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Section 326. APPENDIX A Quantities of Material for Major Possessor Determination

Radionuclide	Abbrev.	UNSEALED FORMS MBq - mCi	SEALED SOURCES GBq - Ci
Actinium-227	Ac-227	0.037	0.001
Aluminum-26	Al-26	370	10
Americium-241	Am-241	0.037	37000
Americium-242m	Am-242m	0.037	370
Americium-243	Am-243	0.037	370
Antimony-125	Sb-125	3700	100
Barium-133	Ba-133	3700	100
Berkelium-247	Bk-247	0.037	0.001
Berkelium-249	Bk-249	3.7	0.1
Beryllium-10	Be-10	37	1
Bismuth-207	Bi-207	370	10
Bismuth-210m	Bi-210m	3.7	0.1
Cadmium-109	Cd-109	37	1
Cadmium-113	Cd-113	3700	100
Cadmium-113m	Cd-113m	3.7	0.1
Calcium-41	Ca-41	3700	100
Californium-248	Cf-248	0.37	0.01
Californium-249	Cf-249	0.037	0.001
Californium-250	Cf-250	0.037	0.001
Californium-251	Cf-251	0.037	0.001
Californium-252	Cf-252	0.037	0.001
Carbon-14	C-14	37000	1000
Cerium-144	Ce-144	37	1
Cesium-134	Cs-134	370	10
Cesium-135	Cs-135	3700	100
Cesium-137	Cs-137	370	10
Chlorine-36	Cl-36	370	10
Cobalt-60	Co-60	37	1
Curium-243	Cm-243	0.037	0.001
Curium-244	Cm-244	0.037	0.001
Curium-245	Cm-245	0.037	0.001
Curium-246	Cm-246	0.037	0.001
Curium-247	Cm-247	0.037	0.001
Curium-248	Cm-248	0.037	0.001
Einsteinium-254	Es-254	0.37	0.01
Europium-150 (34.2y)	Eu-150	37	1
Europium-152	Eu-152	37	1
Europium-154	Eu-154	37	1
Europium-155	Eu-155	370	10
Europium-157	Eu-157	3700	100

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Gadolinium-148	Gd-148	0.037	0.001	370	10
Gadolinium-152	Gd-152	3700	100	37000	1000
Germanium-68	Ge-68	370	10	37000	1000
Hafnium-172	Hf-172	37	1	37000	1000
Hafnium-182	Hf-182	3.7	0.1	37000	1000
Hafnium-184	Hf-184	3700	100	37000	1000
Holmium-166m	Ho-166m	37	1	37000	1000
Hydrogen-3	H-3	37000	1000	37000	1000
Indium-115	In-115	3700	100	37000	1000
Iodine-129	I-129	37	1	37000	1000
Iron-55	Fe-55	3700	100	37000	1000
Iron-60	Fe-60	37	1	37000	1000
Lanthanum-137	La-137	370	10	37000	1000
Lanthanum-138	La-138	3700	100	37000	1000
Lead-202	Pb-202	370	10	37000	1000
Lead-205	Pb-205	3700	100	37000	1000
Lead-210	Pb-210	0.37	0.01	3700	100
Lutetium-173	Lu-173	370	10	37000	1000
Lutetium-174	Lu-174	370	10	37000	1000
Lutetium-176	Lu-176	3700	100	37000	1000
Manganese-53	Mn-53	37000	1000	37000	1000
Manganese-54	Mn-54	3700	100	37000	1000
Mercury-194	Hg-194	37	1	37000	1000
Molybdenum-93	Mo-93	370	10	37000	1000
Neptunium-235	Np-235	3700	100	37000	1000
Neptunium-236 (1.15x105y)	Np-236	0.037	0.001	370	10
Neptunium-237	Np-237	0.037	0.001	370	10
Nickel-59	Ni-59	3700	100	37000	1000
Nickel-63	Ni-63	3700	100	37000	1000
Niobium-93m	Nb-93m	370	10	37000	1000
Niobium-94	Nb-94	37	1	37000	1000
Osmium-194	Os-194	37	1	37000	1000
Palladium-107	Pd-107	370	10	37000	1000
Platinum-193	Pt-193	37000	1000	37000	1000
Plutonium-236	Pu-236	0.037	0.001	370	10
Plutonium-238	Pu-238	0.037	0.001	370	10
Plutonium-239	Pu-239	0.037	0.001	370	10
Plutonium-240	Pu-240	0.037	0.001	370	10
Plutonium-241	Pu-241	0.37	0.01	3700	100
Plutonium-242	Pu-242	0.037	0.001	370	10
Plutonium-244	Pu-244	0.037	0.001	370	10
Potassium-40	K-40	3700	100	37000	1000
Promethium-144	Pm-144	370	10	37000	1000
Promethium-145	Pm-145	370	10	37000	1000
Promethium-146	Pm-146	37	1	37000	1000
Promethium-147	Pm-147	370	10	37000	1000
Protactinium-231	Pa-231	0.037	0.001	370	10

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Radium-226	Ra-226	3.7	0.1	37000	1000
Radium-228	Ra-228	3.7	0.1	37000	1000
Rhenium-186m	Re-186m	370	10	37000	1000
Rhenium-187	Re-187	37000	1000	37000	1000
Rhodium-101	Rh-101	370	10	37000	1000
Rhodium-102	Rh-102	370	10	37000	1000
Rubidium-87	Rb-87	3700	100	37000	1000
Ruthenium-106	Ru-106	37	1	37000	1000
Samarium-145	Sm-145	37000	100	37000	1000
Samarium-146	Sm-146	37	1	37000	1000
Samarium-147	Sm-147	3700	100	37000	1000
Samarium-151	Sm-151	370	10	37000	1000
Selenium-79	Se-79	3700	100	37000	1000
Silicon-32	Si-32	37	1	37000	1000
Sodium-22	Na-22	370	10	37000	1000
Strontium-90	Sr-90	3.7	0.1	37000	1000
Tantalum-179	Ta-179	3700	100	37000	1000
Tantalum-180m	Ta-180m	37000	1000	37000	1000
Technetium-97	Tc-97	37000	1000	37000	1000
Technetium-98	Tc-98	370	10	37000	1000
Technetium-99	Tc-99	3700	100	37000	1000
Tellurium-123	Te-123	3700	100	37000	1000
Terbium-157	Tb-157	370	10	37000	1000
Terbium-158	Tb-158	37	1	37000	1000
Thallium-204	Tl-204	3700	100	37000	1000
Thorium-228	Th-228	0.037	0.001	370	10
Thorium-229	Th-229	0.037	0.001	370	10
Thorium-230	Th-230	0.037	0.001	370	10
Thorium-232	Th-232	3700	100	37000	1000
Thulium-171	Tm-171	370	10	37000	1000
Tin-119m	Sn-119m	3700	100	37000	1000
Tin-121	Sn-121	37000	1000	37000	1000
Tin-126	Sn-126	370	10	37000	1000
Titanium-44	Ti-44	37	1	37000	1000
Uranium-232	U-232	0.037	0.001	370	10
Uranium-233	U-233	0.037	0.001	370	10
Uranium-234	U-234	0.037	0.001	370	10
Uranium-235	U-235	0.037	0.001	370	10
Uranium-236	U-236	0.037	0.001	370	10
Uranium-238	U-238	3700	100	37000	1000
Vanadium-49	V-49	37000	1000	37000	1000
Zirconium-93	Zr-93	37	1	37000	1000
Thorium-natural		3700	100	37000	1000
Uranium-natural		3700	100	37000	1000

When a combination of nuclides is involved, the limit for the combination shall be derived as follows: For each nuclide, determine the ratio between the

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quantity authorized on the license and the quantity established in this Appendix A for the form of the material (sealed source or unsealed material). If the sum of the ratios for all nuclides is greater than one, then the licensee shall post financial assurance arrangements.

AGENCY NOTE: Possession of special nuclear material (Plutonium, Uranium-233 and Uranium-235) is limited to quantities not sufficient to form a critical mass as defined in 32 Ill. Adm. Code 310.20.

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Section 336.APPENDIX B Wording for Surety Bonds

A surety bond guaranteeing funds for reclamation, as specified in 32 Ill. Adm. Code 326.100, shall contain the following provisions, except that the instructions in brackets are to be replaced with the relevant information and the brackets deleted:

SURETY BOND

Date bond executed:

Effective date:

Principal: [legal name and business address of licensee]

Type of organization: [insert "individual," "partnership" or "corporation"]

State of incorporation:

Surety(ies): [Name(s) and business address(es)]

License number(s), name, address and reclamation cost for each facility guaranteed by this bond:

Total penal sum of bond: \$ _____

Surety's bond number:

KNOW ALL PERSONS BY THESE PRESENTS, That we, the Principal and Surety(ies) hereto, are firmly bound to the Illinois Department of Nuclear Safety, 1035 Outer Park Drive, Springfield, Illinois 62704 (hereinafter called Department), in the above penal sum for the payment of which we bind ourselves, our heirs, executors, administrators, successors and assigns jointly and severally; provided that, where the Surety(ies) are corporations acting as co-sureties, we, the Sureties, bind ourselves in such sum "jointly and severally" only for the purpose of allowing a joint action or actions against any or all of us, and for all other purposes each Surety binds itself, jointly and severally with the Principal, for the payment of such sum only as is set forth opposite the name of such Surety, but if no limit of liability is indicated, the limit of liability shall be the full amount of the penal sum.

WHEREAS said Principal is required, under the Radiation Protection Act of 1990, to have a license in order to receive, possess, store and use radioactive material at the facility identified above; and

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WHEREAS said Principal is required to provide financial assurance for reclamation as a condition of the license;

NOW, THEREFORE, the conditions of this obligation are such that if the Principal shall faithfully perform reclamation, whenever required to do so, of each facility for which this bond guarantees funds for reclamation, to the satisfaction of the Director, Department, in accordance with acceptable practices for protection of health and safety pursuant to all applicable laws, statutes, rules and regulations, as such laws, statutes, rules and regulations may be amended;

OR, if the Principal shall provide alternative financial assurance as specified in 32 Ill. Adm. Code 326.170, and obtain the written approval of such assurance from the Department, within 90 days after the date notice of cancellation is received by both the Principal and the Department from the Surety(ies), then this obligation shall be null and void; otherwise, it is to remain in full force and effect.

The Surety(ies) shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above.

Upon notification by the Department that the Principal has been found in violation of the reclamation requirements of the Department, for a facility for which this bond guarantees funds for performance of reclamation, the Surety(ies) shall pay the reclamation cost amount guaranteed for the facility to the Department as directed by the Director.

Upon notification by the Department that the Principal has failed to provide alternative financial assurance as specified in 32 Ill. Adm. Code 326.170 and obtain written approval of such assurance from the Department during the 120 days following receipt by both the Principal and the Director of a notice of cancellation of the bond, the Surety(ies) shall pay the amount guaranteed for the facility(ies) to the Department as directed by the Director.

The Surety(ies) hereby waive(s) notification of amendments to licenses, applicable laws, statutes, rules and regulations and agree(s) that no such amendment shall in any way alleviate its (their) obligation on this bond.

The liability of the Surety(ies) shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Surety(ies) hereunder exceed the amount of said penal sum.

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The Surety(ies) may cancel the bond by sending notice of cancellation by certified mail to the licensee and to the Department; provided, however, that cancellation shall not occur during the 180 days beginning on the date of receipt of the notice of cancellation by both the Principal and the Department, as evidenced by the return receipts.

The Principal may terminate this bond by sending written notice to the Surety(ies); provided, however, that no such notice shall become effective until the Surety(ies) receive(s) written authorization for termination of the bond by the Department.

IN WITNESS WHEREOF, the Principal and Surety(ies) have executed this SURETY BOND and have affixed their seals on the date set forth above.

The persons whose signatures appear below hereby certify that they are authorized to execute this surety bond on behalf of the Principal and Surety(ies).

PRINCIPAL

[Signature(s)]

[Below each signature, type or print that person's name and title]

Corporate seal:

CORPORATE SURETY(IES)

[Name and address]

State of incorporation:

Liability limit: \$ _____

[Signature(s)]

[Below each signature, type or print that person's name and title]

Corporate seal:

[For every co-surety, provide signature(s), corporate seal and other information in the same manner as for the Surety above.]

Bond premium: \$ _____

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Section 326.APPENDIX C Wording for Letters of Credit

A letter of credit, as specified in 32 Ill. Adm. Code 326.110, shall contain the following provisions, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

IRREVOCABLE STANDBY LETTER OF CREDIT

Director

Illinois Department of Nuclear Safety

Date: _____

Dear Sir or Madam:

We hereby establish our Irrevocable Standby Letter of Credit No. _____ in your favor, at the request and for the account of [licensee's name and address] up to the aggregate amount of [in words] U.S. dollars \$_____, available upon presentation of:

A) Your sight draft, bearing reference to this letter of credit No. _____; and

B) Your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of the Illinois Radiation Protection Act of 1990."

This letter of credit is effective as of [date] and shall expire on [date at least 1 year later], but such expiration date shall be automatically extended for a period of [at least 1 year] on [date] and on each successive expiration date, unless, at least 180 days before the current expiration date, we notify both you and [licensee's name] by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. Unless released by the Illinois Department of Nuclear Safety (hereinafter called Department), the Department may draw upon this letter of credit if a new letter of credit or other financial assurance arrangement approved in writing by the Department is not furnished 60 days prior to the expiration date. The Department may delay the drawing if the issuing institution grants an extension of the term of this letter of credit. During the last 30 days of any extension, the Director may draw on this letter of credit if the licensee has failed to provide an alternative financial assurance arrangement approved in writing by the Department. [Financial institution] shall give immediate notice to [licensee] and the Department of any notice received or action filed alleging (1) the insolvency or bankruptcy of [financial institution] or (2) any violations of regulatory requirements that could result in suspension or revocation of [financial institution's] charter or license to do business. The financial institution also shall give immediate notice

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if [financial institution], for any reason, becomes unable to fulfill its obligation under this letter of credit.

Whenever this letter of credit is drawn on under and in compliance with the terms of the letter of credit, we shall duly honor such draft upon its presentation to us within 30 days, and we shall pay the amount of the draft to the Department in accordance with your instructions.

Each draft must bear on its face the clause: "Drawn under Letter of Credit No. _____, dated _____, and the total of this draft and all other drafts previously drawn under this letter of credit does not exceed [fill in amount]."

[Signature(s) and title(s) of official(s) of issuing institution]
[Date]

This credit is subject to [the most recent edition of the Uniform Customs and Practice for Documentary Credits, published by the International Chamber of Commerce, or the Uniform Commercial Code].

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Section 326.APPENDIX D Wording for Certificates of Deposit

A certificate of deposit, as specified in 32 Ill. Adm. Code 326.120, shall contain the following provisions, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

CERTIFICATE OF DEPOSIT

[Name and address of financial institution]

Certificate of Deposit [insert date]

No. _____ [insert \$ amount]

[Licensee name and address] has deposited not subject to check [spell out dollar amount] Dollars [insert numerical value \$] payable to the Illinois Department of Nuclear Safety (hereinafter called the Department) [insert number of months] months after date, upon presentation of this certificate properly endorsed. The funds are deposited for the purpose of providing financial assurance for the cost of reclamation as required by 32 Ill. Adm. Code 326. Accordingly, this certificate shall be renewed automatically unless (a) [financial institution] receives written notice from the Department of (1) the default of [licensee] on these obligations, (2) the termination of the facility license, or (3) the substitution of another financial assurance arrangement; or (b) [financial institution] provides a minimum of 180 days written notice of its decision not to renew as provided in the Department's rules. In the event the Department notifies [financial institution] that [licensee] has not complied with its reclamation obligations under the Department's rules or its obligation to provide replacement financial assurance acceptable to the Department, [financial institution] shall pay the amount deposited to the Department.

[Financial institution] waives all rights of lien which it has or might have against this certificate.

The deposit documented in this certificate is insured by the Federal Deposit Insurance Corporation.

(Cashier)

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Section 326.APPENDIX E Wording for Self-Guarantee Documents

- a) A self-guarantee, as specified in 32 Ill. Adm. Code 326.130, shall contain letters from the chief executive officer and the chief financial officer containing the following provisions, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

CHIEF EXECUTIVE OFFICER

I am the [chief executive officer or equivalent] of [name and address of firm], a [insert "proprietorship," "partnership," or "corporation"]. This letter is in support of this firm's use of the financial test to demonstrate financial assurance, as specified in 32 Ill. Adm. Code 326.

I hereby certify that [name of firm] is currently a going concern, and that it possesses positive tangible net worth in the amount of \$_____.

This firm [insert "is required" or "is not required"] to file a Form 10K with the U.S. Securities and Exchange Commission for the latest fiscal year. The fiscal year of this firm ends on [month, day].

I hereby certify that the content of this letter is true and correct to the best of my knowledge.

[Signature]

[Below the signature, type or print that person's name and title]

[Date]

CHIEF FINANCIAL OFFICER

I am the [chief financial officer or equivalent] of [name and address of firm], a [insert "proprietorship," "partnership," or "corporation"]. This letter is in support of this firm's use of the financial test to demonstrate financial assurance, as specified in 32 Ill. Adm. Code 326.

[Complete the following paragraph regarding facility(ies) and associated cost estimates or amounts specified in 32 Ill. Adm. Code 326.70. For each facility, include its license number, name, address and current cost estimates for the specified activities.]

This firm guarantees, through the self-guarantee submitted to demonstrate compliance under 32 Ill. Adm. Code 326, the reclamation of the following facility(ies) owned or operated by this firm. The current cost estimates or amounts specified in 32 Ill. Adm. Code

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326.70, so guaranteed, are shown for each facility:

Name of Facility	Location of Facility	Cost Estimate or 326.70 Amounts
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This firm [insert "is required" or "is not required"] to file a Form 10K with the U.S. Securities and Exchange Commission for the latest fiscal year.

The fiscal year of this firm ends on [month, day]. The figures for the financial test required by 32 Ill. Adm. Code 326.140 are derived from this firm's independently audited, year-end financial statements and footnotes for the latest completed fiscal year, ended [date].

[Insert completed financial test applicable to licensee from subsection (c), (d) or (e) of this Appendix.]

I hereby certify that the content of this letter is true and correct to the best of my knowledge.

[Signature]

[Below the signature, type or print that person's name and title]

[Date]

- b) A self-guarantee, as specified in 32 Ill. Adm. Code 326.130, shall contain the following provisions, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

SELF-GUARANTEE

Self-guarantee made this [date] by [name and address of licensee], a [insert "proprietorship," "partnership," or "corporation"] organized under the laws of the State of [insert name of state], herein referred to as "licensee," to the Illinois Department of Nuclear Safety (hereinafter called the Department).

Recitals

- 1) The licensee has full authority and capacity to enter into this guarantee [if guarantor is a corporation, add the following phrase "under its bylaws, articles of incorporation, and the laws of the State of [insert licensee's state of incorporation], its state of incorporation."]. [If the licensee has a Board of Directors, insert the following: "Licensee has approval from its Board of Directors to enter into this guarantee."]
- 2) This guarantee is being issued to comply with regulations issued by the Department, pursuant to the Radiation Protection Act of

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1990. The Department has promulgated regulations in 32 Ill. Adm. Code 326 that require that general or specific licensees provide assurance that funds will be available when needed for reclamation activities.

3) The guarantee is issued to provide financial assurance for reclamation activities for [identify licensed facility(ies)] as required by 32 Ill. Adm. Code 326. The reclamation costs are as follows: [insert the current cost estimates or amounts specified in 32 Ill. Adm. Code 326.70 guaranteed for each identified facility].

4) The licensee meets or exceeds the financial test criteria specified in 32 Ill. Adm. Code 326.140 and agrees to comply with all notification requirements as specified in 32 Ill. Adm. Code 326.

5) Reclamation activities as used below refers to the activities required by 32 Ill. Adm. Code 330 for reclamation of facility(ies) identified above.

6) The licensee guarantees to the Department that it will:

A) Carry out the required reclamation activities as required by 32 Ill. Adm. Code 330; or

B) Upon written notification from the Department, pay the reclamation cost amount guaranteed for the facility(ies) to the Department as directed by the Director.

7) The licensee shall submit revised financial statements, financial test data and an auditor's special report and reconciling schedule annually within 90 days after the close of the licensee's fiscal year.

8) If, at the end of any fiscal year before termination of this guarantee, the licensee fails to meet the financial test criteria, the licensee shall send within 90 days after the end of the fiscal year, by certified mail, return receipt requested, notice to the Department that the licensee intends to provide alternative financial assurance as specified in 32 Ill. Adm. Code 326.170. Within 120 days after the end of the fiscal year, the licensee shall provide such financial assurance.

9) The licensee shall notify the Department promptly if the ownership of the licensee is transferred and shall maintain this guarantee until the new parent firm or the licensee provides alternative financial assurance acceptable to the Department.

10) The licensee, as well as its successors and assigns, agrees to remain bound jointly and severally under this guarantee notwithstanding any or all of the following: amendment or modification of the license or Department-approved reclamation funding plan for that facility, the extension or reduction of the time of performance of required activities, or any other modification or alteration of an obligation of the licensee pursuant to 32 Ill. Adm. Code 326.

11) All bound parties shall be jointly and severally liable for all

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litigation costs incurred by the Department in any successful effort to enforce this guarantee.

12) The licensee shall remain bound under this guarantee for as long as the licensee must comply with the applicable financial assurance requirements of 32 Ill. Adm. Code 326 for the previously listed facility(ies), except that the licensee may cancel this guarantee by meeting the requirements of 32 Ill. Adm. Code 326.170.

13) If the licensee fails to provide alternative financial assurance as specified in 32 Ill. Adm. Code 326.170, the licensee shall make full payment under this guarantee.

14) The licensee expressly waives notice of acceptance of this guarantee by the Department.

15) If the licensee files financial reports with the U.S. Securities and Exchange Commission, then it shall promptly submit them to the Department during each year in which this guarantee is in effect.

I hereby certify that the content of this guarantee is true and correct to the best of my knowledge.

Effective date: _____

[Name of licensee]

[Signature of chief executive officer or equivalent]

[Below the signature, type or print that person's name and title]

Signature of witness or notary: _____

c) Financial test documentation for self-guarantee for a commercial company issuing bonds:

1) Current reclaiming and decommissioning cost estimates or certified amounts

A) Current reclaiming cost estimate or certified amount for all decommissioning activities covered by this self-guarantee \$ _____

B) Total reclaiming cost estimates and certified amounts for all decommissioning activities covered by other NRC or Agreement State guaranties, parent company guaranties or self-guaranties \$ _____

C) Total amounts for all decommissioning activities under parent company guaranties, self-guaranties and commitments to other regulatory agencies (e.g., USEPA) \$ _____

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Total for line 1 \$ _____

- 2) Current bond rating of most recent unsecured issuance of this firm _____

Rating _____

Name of rating service _____

- 3) Date of issuance of bond _____

- 4) Date of maturity of bond _____

- 5)* Tangible net worth** (if any portion of the cost estimates for reclaiming or decommissioning is included in total liabilities on your firm's financial statements, you may add the amount of that portion to this line) \$ _____

- 6)* Total assets in United States (required only if less than 90 percent of firm's assets are located in the United States) \$ _____

Yes No

- 7) Is line 5 at least 10 times line 1? _____

- 8) Are at least 90 percent of the firm's assets located in the United States? If not, complete line 9 _____

- 9) Is line 6 at least 10 times line 1? _____

- 10) Is rating specified on line 2 "A" or better _____

- 11) Does the licensee have at least one class of equity securities registered under the Securities Exchange Act of 1934? _____

* Denotes figures derived from financial statements.

** Tangible net worth is defined as net worth minus goodwill, patents, trademarks and copyrights.

d) Financial test documentation for commercial companies that have no outstanding rated bonds:

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- 1) Current reclaiming and decommissioning cost estimates or certified amounts \$ _____

- A) Current reclaiming cost estimate or certified amount for all decommissioning activities covered by this self-guarantee \$ _____

- B) Total reclaiming cost estimates or certified amounts for all decommissioning activities covered by other NRC or Agreement State guarantees, parent company guarantees or self-guarantees \$ _____

- C) Total amounts for all decommissioning activities under parent company guarantees, self-guarantees and commitments to other regulatory agencies (e.g., USEPA) \$ _____

Total for line 1 \$ _____

- 2)* Total liabilities (if any portion of the cost estimates for reclaiming or decommissioning is included in total liabilities on your firm's financial statements, you may deduct the amount of that portion from this line and add that amount to lines 3 and 4) \$ _____

- 3)* Tangible net worth** \$ _____

- 4)* Net worth \$ _____

- 5)* The sum of net income plus depreciation, depletion and amortization \$ _____

- 6)* Total assets in United States (required only if less than 90 percent of firm's assets are located in the United States) \$ _____

Yes No

- 7) Is line 3 greater than \$10 million, or at least 10 times line 1, whichever is greater _____

- 8) Are at least 90 percent of the firm's assets located in the United States? If not, complete line 9 _____

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- 9) Is line 6 at least 10 times line 1? _____
- 10) Is line 5 divided by line 2 greater than 0.15? _____
- 11) Is line 2 divided by line 4 less than 1.5? _____

* Denotes figures derived from financial statements.

** Tangible net worth is defined as net worth minus goodwill, patents, trademarks and copyrights.

e) Financial test documentation for self-guarantee for hospitals (Complete either Alternative 1 or Alternative 2):

Alternative 1

- 1) Current bond rating of most recent unsecured, uncollateralized and unencumbered issuance of this institution

Rating _____

Name of rating service _____

- 2) Date of issuance of bond _____

- 3) Date of maturity of bond _____

Yes No

- 4) Is the rating specified on line 1 "A" or better _____

Alternative 2

- 1) Current reclaiming and decommissioning cost estimates or certified amounts

A) Current reclaiming cost estimate or certified amount for all decommissioning activities covered by this self-guarantee \$ _____

B) Total reclaiming cost estimates and certified amounts for all decommissioning activities covered by other NRC or Agreement State guaranties, parent company guaranties or self-guaranties \$ _____

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- C) Total amounts for all decommissioning activities under parent company guaranties, self-guaranties and commitments to other regulatory agencies (e.g., USEPA) \$ _____

Total for line 1 \$ _____

2)* Total revenues \$ _____

3)* Operating revenues \$ _____

4)* Total expenditures \$ _____

5)* Total long-term debt \$ _____

6)* Net fixed assets** \$ _____

7)* Current assets \$ _____

8)* Depreciation fund \$ _____

9)* Current liabilities \$ _____

Yes No

- 10) Is line 3 at least 100 times line 1? _____

Guarantor shall meet each of the following ratios:

11) Is (line 2 minus line 4) divided by line 2 at least 0.04? _____

12) Is line 5 divided by line 6 less than or equal to 0.67? _____

13) Is (line 7 plus line 8) divided by line 9 at least 2.55? _____

* Denotes figures derived from financial statements.
** Net fixed assets is defined as fixed assets minus accumulated depreciation.

f) A self-guarantee, as specified in 32 Ill. Adm. Code 326.130 and 326.140, shall include submission of an auditor's special report containing the following provisions, except that instructions in brackets are to be replaced with the relevant information and the

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brackets deleted:

AUDITOR'S CONFIRMATION OF CHIEF FINANCIAL
OFFICER'S LETTER

We have examined the financial statements of [self-guarantor's name] for the year ended [insert date], and have issued our report thereon dated [date]. Our examination was made in accordance with generally accepted auditing standards and, accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary. [Self-guarantor's name] has prepared documents to demonstrate its financial responsibility under the Department's financial assurance regulations, 32 Ill. Adm. Code 326. This letter is furnished to assist the licensee [insert IDNS license number and name] in complying with these regulations and should not be used for other purposes.

The attached schedule reconciles the specified information furnished in the chief financial officer's (CFO's) letter with the company's financial statements. In connection therewith, we have:

- 1) Confirmed that the amounts in the column "Per Financial Statements" agree with amounts contained in the licensee's financial statements for the year ended [date];
- 2) Confirmed that the amounts in the column "per CFO's Letter" agree with the amounts in the chief financial officer's letter;
- 3) Confirmed that the amounts in the column "Reconciling Items" are adequately explained in the attached schedule, that each reconciling item represents an appropriate adjustment to the financial data, and that the amount of each reconciling item is accurate; and
- 4) Recomputed the totals and percentages.

Because the procedures in subsections (1)-(4) above do not constitute a full examination made in accordance with generally accepted auditing standards, we do not express an opinion on the manner in which the amounts were derived in the items referred to above. In connection with the procedures referred to above, no matters came to our attention that cause us to believe that the chief financial officer's letter and supporting information should be adjusted.

Signature

Date

AUDITOR'S SCHEDULE RECONCILING AMOUNTS IN CFO'S LETTER

[Name of self-guarantor]

Year ended [date]

Line # in CFO's Letter	Per Financial Statements	Recon- ciling Items	Per CFO's Letter
6	Total current liabilities	X	
	Long-term debt	X	
	Deferred income taxes	X	
		XX	
	Accrued decommissioning costs Included in current liabilities		X
	Total liabilities (less accrued decommissioning costs)		X
4	Net Worth	XX	
	Less: Cost in excess of value of tangible assets acquired	X	
		XX	
	Accrued decommissioning costs Included in current liabilities		X
	Tangible net worth (plus decommissioning costs)		XX

(Balance of schedule is not illustrated.)

AGENCY NOTE: This illustrates the form of schedule that is contemplated. Details and reconciling items will differ in specific situations.

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Section 326.APPENDIX F Wording for Parent Company Guarantee Documents

- a) A parent company guarantee, as specified in 32 Ill. Adm. Code 326.150, shall contain letters from the chief executive officer and the chief financial officer containing the following provisions, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

CHIEF EXECUTIVE OFFICER

I am the [chief executive officer or equivalent] of [name and address of firm], a [insert "partnership," "partnership," or "corporation"]. This letter is in support of this firm's use of the financial test to demonstrate financial assurance, as specified in 32 Ill. Adm. Code 326.

I hereby certify that [name of firm] is currently a going concern, and that it possesses positive tangible net worth in the amount of \$_____.

This firm [insert "is required" or "is not required"] to file a Form 10K with the U.S. Securities and Exchange Commission for the latest fiscal year. The fiscal year of this firm ends on [month, day].

I hereby certify that the content of this letter is true and correct to the best of my knowledge.

[Signature]

[Below the signature, type or print that person's name and title]

[Date]

CHIEF FINANCIAL OFFICER

I am the [chief financial officer or equivalent] of [name and address of firm], a [insert "partnership," "partnership," or "corporation"]. This letter is in support of this firm's use of the financial test to demonstrate financial assurance, as specified in 32 Ill. Adm. Code 326.

[Complete the following paragraph regarding facility(ies) and associated cost estimates or amounts specified in 32 Ill. Adm. Code 326.70. For each facility, include its license number, name, address and current cost estimates for the specified activities.]

This firm guarantees, through the parent company guarantee submitted to demonstrate compliance under 32 Ill. Adm. Code 326, the reclamation of the following facility(ies) owned or operated by subsidiary(ies) of this firm. The current cost estimates or amounts

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specified in 32 Ill. Adm. Code 326.70, so guaranteed, are shown for each facility:

<u>Name of Facility</u>	<u>Location of Facility</u>	<u>Cost Estimate or 326.70 Amounts</u>
-------------------------	-----------------------------	----------------------------------------

This firm [insert "is required" or "is not required"] to file a Form 10K with the U.S. Securities and Exchange Commission for the latest fiscal year.

The fiscal year of this firm ends on [month, day]. The figures for the financial test required by 32 Ill. Adm. Code 326.160 are derived from this firm's independently audited, year-end financial statements and footnotes for the latest completed fiscal year, ended [date].

[Insert completed financial test from subsection (c) of this Appendix F.]

I hereby certify that the content of this letter is true and correct to the best of my knowledge.

[Signature]

[Below the signature, type or print that person's name and title]

[Date]

- b) A parent company guarantee, as specified in 32 Ill. Adm. Code 326.150, shall contain the following provisions, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

PARENT COMPANY GUARANTEE

Guarantee made this [date] by [name of guaranteeing entity], a [insert "partnership," "partnership," or "corporation"] organized under the laws of the State of [insert name of state], herein referred to as "guarantor," to the Illinois Department of Nuclear Safety (hereinafter called the Department), on behalf of our subsidiary [licensee] of [business address].

Recitals

- 1) The guarantor has full authority and capacity to enter into this guarantee [if guarantor is a corporation, add the following phrase "under its bylaws, articles of incorporation, and the laws of the State of [insert licensee's state of incorporation], its state of incorporation."]. [If the guarantor has a Board of Directors, insert the following: "Guarantor has approval from its Board of Directors to enter into this guarantee."]

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- 2) This guarantee is being issued to comply with regulations issued by the Department, pursuant to the Radiation Protection Act of 1990. The Department has promulgated regulations in 32 Ill. Adm. Code 326 that require that general or specific licensees provide assurance that funds will be available when needed for reclamation activities.
- 3) The guarantee is issued to provide financial assurance for reclamation activities for [identify licensed facility(ies)] as required by 32 Ill. Adm. Code 326. The reclamation costs are as follows: [insert the current cost estimates or amounts specified in 32 Ill. Adm. Code 326.70 guaranteed for each identified facility].
- 4) The guarantor meets or exceeds the financial test criteria specified in 32 Ill. Adm. Code 326.160 and agrees to comply with all notification requirements as specified in 32 Ill. Adm. Code 326.
- 5) The guarantor has majority control of the voting stock for the following licensee(s) covered by this guarantee. [For each facility, include its license number, name, address and current cost estimates for the specified activities.]
- 6) Reclamation activities as used below refers to the activities required by 32 Ill. Adm. Code 330 for reclamation of facility(ies) identified above.
- 7) For value received from [licensee], [if the guarantor is a corporation, add "and pursuant to the authority conferred upon the guarantor by [the unanimous resolution of its directors" or "the majority vote of its shareholders"], a certified copy of which is attached,] the guarantor guarantees to the Department that if the licensee fails to perform the required reclamation activities as required by 32 Ill. Adm. Code 330, the guarantor shall:
 - A) Carry out the required reclamation activities; or
 - B) Upon written notification from the Department, pay the reclamation cost amount guaranteed for the facility(ies) to the Department as directed by the Director.
- 8) The guarantor agrees to submit revised financial statements, financial test data and an auditor's special report and reconciling schedule annually within 90 days after the close of the parent guarantor's fiscal year.

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- 9) The guarantor agrees that if, at the end of any fiscal year before termination of this guarantee, it fails to meet the financial test criteria, the licensee shall send within 90 days after the end of the fiscal year, by certified mail, return receipt requested, notice to the Department that the licensee intends to provide alternative financial assurance as specified in 32 Ill. Adm. Code 326.170. Within 120 days after the end of the fiscal year, the guarantor shall establish such financial assurance if [the licensee] has not done so.
- 10) The guarantor agrees to notify the Department promptly if the ownership of the licensee or parent firm is transferred and to maintain this guarantee until the new parent firm or the licensee provides alternative financial assurance acceptable to the Department.
- 11) The guarantor agrees that, within 30 days after it determines that it no longer meets the financial test criteria or it is disallowed from continuing as a guarantor for [the licensee], it shall establish an alternative financial assurance as specified in 32 Ill. Adm. Code 326.170 as applicable, in the name of [licensee] unless [licensee] had done so.
- 12) The guarantor as well as its successors and assigns shall remain bound jointly and severally under this guarantee notwithstanding any or all of the following: amendment or modification of the license or Department-approved reclamation funding plan for that facility, the extension or reduction of the time of performance of required activities, or any other modification or alteration of an obligation of the licensee pursuant to 32 Ill. Adm. Code 326.
- 13) The guarantor agrees that all bound parties shall be jointly and severally liable for all litigation costs incurred by the Department in any successful effort to enforce the agreement against the guarantor.
- 14) The guarantor shall remain bound under this guarantee for as long as [licensee] must comply with the applicable financial assurance requirements of 32 Ill. Adm. Code 326 for the previously listed facility(ies), except that the guarantor may cancel this guarantee by meeting the requirements of 32 Ill. Adm. Code 326.170.
- 15) The guarantor agrees that if [licensee] fails to provide alternative financial assurance as specified in 32 Ill. Adm. Code 326.170, the guarantor shall provide such alternative financial assurance in the name of [licensee] or make full

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payment under this guarantee.

16) The guarantor expressly waives notice of acceptance of this guarantee by the Department or by [licensee]. The guarantor also expressly waives notice of amendments or modification of the reclamation requirements and of amendments or modifications of the license.

17) If the guarantor files financial reports with the U.S. Securities and Exchange Commission, then it shall promptly submit them to the Department during each year in which this guarantee is in effect.

I hereby certify that the content of this guarantee is true and correct to the best of my knowledge.

Effective date: _____

[Name of guarantor] _____

[Signature of chief executive officer or equivalent] _____

[Below the signature, type or print that person's name and title]

Signature of witness or notary: _____

c) Financial test documentation for parent company guarantee (Complete either Alternative 1 or Alternative 2):

Alternative 1

1) Current reclaiming and decommissioning cost estimates or certified amounts

A) Current reclaiming cost estimate or certified amount for all decommissioning activities covered by this parent company guarantee \$ _____

B) Total reclaiming cost estimates or certified amounts for all decommissioning activities covered by other NRC or Agreement State guarantees, parent company guarantees or self-guarantees \$ _____

C) Total amounts for all decommissioning activities under parent company guarantees, self-guarantees and commitments to other regulatory agencies (e.g., USEPA) \$ _____

Total for line 1 \$ _____

2)* Total liabilities (if any portion of the cost estimates

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for reclaiming or decommissioning is included in total liabilities on your firm's financial statements, you may deduct the amount of that portion from this line and add that amount to lines 3 and 4)

3)* Tangible net worth** \$ _____

4)* Net worth \$ _____

5)* Current assets \$ _____

6)* Current liabilities \$ _____

7)* Net working capital (line 5 minus line 6) \$ _____

8)* The sum of net income plus depreciation, depletion and amortization \$ _____

9)* Total assets in United States (required only if less than 90 percent of firm's assets are located in the United States) \$ _____

Yes No

10) Is line 3 at least \$10 million? — —

11) Is line 3 at least 6 times line 1? — —

12) Is line 7 at least 6 times line 1? — —

13) Are at least 90 percent of the firm's assets located in the United States? If not, complete line 14 — —

14) Is line 9 at least 6 times line 1? — —

Guarantor shall meet two of the following three ratios:

15) Is line 2 divided by line 4 less than 2.0? — —

16) Is line 8 divided by line 2 greater than 0.1? — —

17) Is line 5 divided by line 6 greater than 1.5? — —

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- * Denotes figures derived from financial statements.
 ** Tangible net worth is defined as net worth minus goodwill, patents, trademarks and copyrights.

Alternative 2

- 1) Current reclaiming and decommissioning cost estimates or certified amounts

A) Current reclaiming cost estimate or certified amount for all decommissioning activities covered by this parent company guarantee \$ _____

B) Total reclaiming cost estimates or certified amounts for all decommissioning activities covered by other NRC or Agreement State guarantees, parent company guarantees or self-guarantees \$ _____

C) Total amounts for all decommissioning activities under parent company guarantees, self-guarantees and commitments to other regulatory agencies (e.g., USEPA) \$ _____

Total for line 1 \$ _____

- 2) Current bond rating of most recent unsecured, uncollateralized and unencumbered issuance of this firm

Rating _____

Name of rating service _____

3) Date of issuance of bond _____

4) Date of maturity of bond _____

- 5) Tangible net worth** (if any portion of estimates for reclaiming or decommissioning is included in total liabilities on your firm's financial statements, you may add the amount of that portion to this line)

6) Total assets in United States (required only if less than 90 percent of firm's assets are located in the United States)

Yes Yes No No

- 7) Is line 5 at least \$10 million? _____

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- 8) Is line 5 at least 6 times line 1? _____
- 9) Are at least 90 percent of the firm's assets located in the United States? If not, complete line 10 _____
- 10) Is line 6 at least 6 times line 1? _____
- 11) Is the rating specified on line 2 BBB or better (if issued by Standard & Poor's) or Baa or better (if issued by Moody's)? _____

* Denotes figures derived from financial statements.

** Tangible net worth is defined as net worth minus goodwill, patents, trademarks and copyrights.

- d) A parent company guarantee, as specified in 32 Ill. Adm. Code 326.150, shall include submission of an auditor's special report containing the following provisions, except that instructions in brackets are to be replaced with the relevant information and the brackets deleted:

AUDITOR'S CONFIRMATION OF CHIEF FINANCIAL OFFICER'S LETTER

We have examined the financial statements of [name of parent guarantor] ("Company") for the year ended [insert date], and have issued our report thereon dated [date]. Our examination was made in accordance with generally accepted auditing standards and, accordingly, included such tests of the accounting records and such other auditing procedures as we considered necessary.

The Company has prepared documents to demonstrate its financial responsibility under the Department's financial assurance regulations, 32 Ill. Adm. Code 326. This letter is furnished to assist the licensee [insert IDNS license number and name] in complying with these regulations and should not be used for other purposes.

The attached schedule reconciles the specified information furnished in the chief financial officer's (CFO's) letter with the company's financial statements. In connection therewith, we have:

- 1) Confirmed that the amounts in the column "Per Financial Statements" agree with amounts contained in the company's financial statements for the year ended [date];
- 2) Confirmed that the amounts in the column "Per CFO's Letter" agree with the amounts in the chief financial officer's letter;
- 3) Confirmed that the amounts in the column "Reconciling Items" are

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adequately explained in the attached schedule, that each reconciling item represents an appropriate adjustment to the financial data, and that the amount of each reconciling item is accurate; and

4) Recomputed the totals and percentages. Because the procedures in subsections (1)-(4) above do not constitute a full examination made in accordance with generally accepted auditing standards, we do not express an opinion on the manner in which the amounts were derived in the items referred to above. In connection with the procedures referred to above, no matters came to our attention that cause us to believe that the chief financial officer's letter and supporting information should be adjusted.

Signature

Date

AUDITOR'S SCHEDULE RECONCILING AMOUNTS IN CFO'S LETTER

<u>[COMPANY]</u>						
<u>Year ended [date]</u>						
<u>Line #</u> <u>In CFO's</u> <u>Letter</u>		<u>Per</u> <u>Financial</u> <u>Statements</u>	<u>Recon-</u> <u>ciling</u> <u>Items</u>	<u>Per</u> <u>CFO's</u> <u>Letter</u>		
6	Total current liabilities	X				
	Long-term debt	X				
	Deferred income taxes	X				
		XX				
	Accrued decommissioning costs					
	Included in current liabilities		X			
	Total liabilities (less accrued decommissioning costs)					X
4	Net Worth	XX				
	Less: Cost in excess of value of tangible assets acquired	X				
		XX				
	Accrued decommissioning costs					
	Included in current liabilities		X			
	Tangible net worth (plus decommissioning costs)					XX

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(Balance of schedule is not illustrated.)

AGENCY NOTE: This illustrates the form of schedule that is contemplated. Details and reconciling items will differ in specific situations.

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NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Licensing of Radioactive Material2) Code Citation: 32 Ill. Adm. Code 3303) Section Number:

330.10 Adopted Action:

330.220 Amendment

330.250 Amendment

330.260 Amendment

330.290 New Section

330.310 Amendment

330.340 Amendment

330.350 Amendment

330.360 Repeal

330.500 Amendment

330.900 Amendment

APPENDIX C New Section

APPENDIX G Repealed

APPENDIX H Repealed

4) Statutory Authority: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].5) Effective Date of Amendments: June 1, 20006) Does this rulemaking contain an automatic repeal date? No7) Does this rulemaking contain incorporations by reference? Yes

8) A copy of the adopted amendment, including any material incorporated by reference, is on file at the Department's headquarters located at 1035 Outer Park Drive, Springfield, Illinois and is available for public inspection.

9) Notice of Proposal Published in the Illinois Register: February 14, 2000 (24 Ill. Reg. 2106)10) Has JCAR issued a Statement of Objection to these Amendments? No11) Differences between proposal and final version:

a) In Section 330.10, line 89, insert a colon and the phrase "Chapter II, Subchapters b and d" after the word "Code".

b) In Section 330.260(c), line 1047, delete the new paragraph 3 (old 7) and renumber 4 (line 1057) to 3 & renumber 5 (line 1067) to 4 and add a new paragraph 5 after line 1071 as follows:

"5) For licensees authorized to dispense radiopharmaceuticals (such as nuclear pharmacies), the licensee shall ensure radiopharmaceuticals are dispensed only under the prescription of a physician who is authorized in a specific license to use the radiopharmaceuticals. The licensee shall maintain a copy of the recipient's radioactive material license and shall verify that the physician is authorized to receive the prescribed radiopharmaceutical prior to transfer."

c) In Section 330.290, line 1241, change "licensee" to "applicant".

d) In Section 330.290, lines 1254 and 1285, insert "(42 USC 11001 et seq.)" after "99-499".

e) In Appendix C, after line 1704, insert "Germanium-68 0.01 74,000 2,000".

f) In Appendix C, line 1762, insert "any form other than" after "material".

g) In Appendix C, after line 1763, insert

"Irradiated material, solid
noncombustible 0.001 370,000 10,000".

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes13) Will these amendments replace an emergency amendment currently in effect?
No14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendment: This amendment will clarify licensing criteria and describes procedures and requirements for large licensees' emergency plans. This amendment also requires that general licensees notify the Department within 30 days after receiving a device containing radioactive material and that an entity holding an out-of-state license must notify the Department before transporting a device into Illinois.

16) Information and questions regarding these adopted amendments shall be directed to:

Lyle J. Black

Senior Staff Attorney

Department of Nuclear Safety

1035 Outer Park Drive

Springfield, Illinois 62704

(217) 524-0770 (voice)

(217) 782-6133 (TDD)

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NOTICE OF ADOPTED AMENDMENTS

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED AMENDMENTS
TITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 330
LICENSING OF RADIOACTIVE MATERIAL
SUBPART A: GENERAL PROVISIONS

Section
330.10
330.15
330.30
330.40

Purpose and Scope
Incorporations by Reference
License Exemption - Source Material
License Exemption - Radioactive Materials Other Than Source Material

SUBPART B: TYPES OF LICENSES

Section
330.200
330.210
330.220

Types of Licenses
General Licenses - Source Material
General Licenses - Radioactive Material Other Than Source Material

SUBPART C: SPECIFIC AND GENERAL LICENSES

Section
330.240
330.250
330.260

Filing Application for Specific Licenses
General Requirements for the Issuance of Specific Licenses
Special Requirements for Issuance of Certain Specific Licenses for Radioactive Materials

330.270
330.280

Special Requirements for Specific Licenses of Broad Scope
Special Requirements for a Specific License to Manufacture, Assemble, Repair, or Distribute Commodities, Products, or Devices that Contain Radioactive Material

330.290
330.300
330.310

Requirements for Emergency Plans
Issuance of Specific Licenses
Specific Terms and Conditions of Specific and General Licenses

330.320
330.330
330.340
330.350
330.360

Expiration and Termination of Licenses
Renewal of Licenses
Amendment of Licenses at Request of Licensee
Department Action on Application to Renew or Amend
Persons Possessing a License for Source, Byproduct, or Special Nuclear Material in Quantities Not Sufficient to Form a Critical Mass on Effective Date of This Part (Repealed)

330.370

Persons Possessing Accelerator-Produced or Naturally-Occurring Radioactive Material on Effective Date of This Part (Repealed)

330.400
330.500

Transfer of Material
Modification and Revocation of Licenses

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330.900 Reciprocal Recognition of Licenses

SUBPART D: TRANSPORTATION (Repealed)

Section 330.1000 Transportation of Radioactive Materials (Repealed)

APPENDIX A	Exempt Concentrations
APPENDIX B	Exempt Quantities
APPENDIX C	Quantities of Radioactive Materials Requiring Consideration of the Need for an Emergency Plan for Responding to a Release
TABLE A	Groups of Medical Uses of Radioactive Materials (Repeated)
TABLE B	Group I (Repealed)
TABLE C	Group II (Repealed)
TABLE D	Group III (Repealed)
TABLE E	Group IV (Repealed)
TABLE F	Group V (Repealed)
APPENDIX D	Group VI (Repealed)
APPENDIX E	Limits for Broad Licenses (Section 330.270)
APPENDIX F	Schedule E (Repealed)
APPENDIX G	Schedule F (Repealed)
APPENDIX H	Financial Surety Arrangements (Section 330.250(c)(1)(D))
	(Repealed)
	Wording of Financial Surety Arrangements (Section 330.250(c)(1)(E)) (Repealed)

AUTHORITY: Implementing and authorized by the Radiation Protection Act of 1990 [420 ILCS 40].

SOURCE: Filed April 20, 1974, by the Department of Public Health; transferred to the Department of Nuclear Safety by P.A. 81-1516, effective December 3, 1980; amended at 5 Ill. Reg. 9586, effective September 10, 1981; codified at 7 Ill. Reg. 17492; recodified at 10 Ill. Reg. 11268; amended at 10 Ill. Reg. 17315, effective September 25, 1986; amended at 15 Ill. Reg. 10632, effective July 15, 1991; amended at 18 Ill. Reg. 5553, effective March 29, 1994; emergency amendment at 22 Ill. Reg. 6242, effective March 18, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 14459, effective July 27, 1998; amended at 24 Ill. Reg. 8042, effective JUN - 1 2000.

NOTE: In this Part, unless the context clearly indicates otherwise, superscript numbers or letters are denoted by bolded parentheses; subscript are denoted by bolded brackets.

SUBPART A: GENERAL PROVISIONS

Section 330.10 Purpose and Scope

- a) This Part provides for the licensing of radioactive material. No

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person shall receive, possess, use utilize, manufacture, distribute, transfer, own or acquire radioactive material or devices or equipment utilizing or producing such materials except as authorized in a specific or general license issued pursuant to this Part or as otherwise provided in 32 Ill. Adm. Code: Chapter II, Subchapters b and d. These requirements provide for the protection of health, safety and the environment ~~this Part~~.

- b) The requirements of this Part are in addition to, and not in substitution for, others in 32 Ill. Adm. Code: Chapter II, Subchapters b and d. Additional specific requirements for certain types of licenses are found in different Parts of 32 Ill. Adm. Code. In addition to the requirements of subsection (a) above, ~~all~~ ~~licensees~~ ~~are subject to the requirements of this Part and 32 Ill. Adm. Code 3107-3317-3407-341- and -400- licensees engaged in source material milling or possessing byproduct material as defined in Section 4(a)(1) of the Radiation Protection Act of 1990 (111-Rev-Stat-1991-Chapter 11-1/27-Part-210-1-et-seq-7-420-16S-40/4(a)(2)) are also subject to the requirements of 32 Ill. Adm. Code 332- licensees engaged in industrial radiographic operations are also subject to the requirements of 32 Ill. Adm. Code 350- licensees using radioactive material in the healing arts are also subject to the requirements of 32 Ill. Adm. Code 335- licensees engaged in wireline and subsurface tracers are also subject to the requirements of 32 Ill. Adm. Code 351- the requirements of this Part do not apply to carriers are subject to the requirements of 32 Ill. Adm. Code 341.~~

(Source: Amended at 24 Ill. Reg. 8042, effective JUN - 1 2000)

SUBPART B: TYPES OF LICENSES

Section 330.220 General Licenses - Radioactive Material Other Than Source Material

- a) Certain Devices and Equipment. A general license is hereby issued to transfer, receive, acquire, own, possess and use radioactive material incorporated in the following devices or equipment which have been manufactured, tested and labeled by the manufacturer in accordance with a specific license issued to the manufacturer by the U.S. Nuclear Regulatory Commission for use pursuant to 10 CFR 31.3. This general license is subject to the provisions of 32 Ill. Adm. Code 310.40 through 310.90, 340, 341, 400 and Sections 330.40(a)(2), 330.310, 330.400 and 330.500 of this Part.

AGENCY NOTE: Attention is directed particularly to the provisions of 32 Ill. Adm. Code 340 which relate to the labeling of containers.

- 1) Static Elimination Device. Devices designed for use as static eliminators which contain, as a sealed source or sources, radioactive material consisting of a total of not more than 18.5

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- MBq (500 microCi) of polonium-210 per device.
- 2) Ion Generating Tube. Devices designed for ionization of air which contain, as a sealed source or sources, radioactive material consisting of a total of not more than 18.5 MBq (500 microCi) of polonium-210 per device or a total of not more than 1.85 GBq (50 mCi) of hydrogen-3 (tritium) per device.

b) Certain Measuring, Gauging or Controlling Devices

- 1) A general license is hereby issued to commercial and industrial firms and to research, educational and medical institutions, individuals in the conduct of their business and State or local government agencies to ~~own~~, receive, acquire, possess, use or transfer in accordance with the provisions of subsections (b)(2) through (4) of this Section below, radioactive material, excluding special nuclear material, contained in devices designed and manufactured for the purpose of detecting, measuring, gauging or controlling thickness, density, level, interface location, radiation, leakage, or qualitative or quantitative chemical composition, or for producing light or an ionized atmosphere.

- 2) The general license in subsection (b)(1) of this Section above applies only to radioactive material contained in devices which have been manufactured and labeled in accordance with the specifications contained in a specific license issued by the Department pursuant to Section 330.280(d) of this Part or in accordance with the specifications contained in a specific license issued by the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State, which authorizes distribution of devices to persons generally licensed by the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State.

AGENCY NOTE: Regulations under the Federal Food, Drug and Cosmetic Act authorizing the use of radioactive control devices in food production require certain additional labeling thereon which is found in 21 CFR 179.21.

- 3) Any person who ~~owns~~, receives, acquires, possesses, uses or transfers radioactive material in a device pursuant to the general license in subsection (b)(1) of this Section above:

- A) Shall assure that all labels affixed to the device at the time of receipt, and bearing a statement that removal of the label is prohibited, are maintained thereon and shall comply with all instructions and precautions provided by such labels;
- B) Shall assure that the device is tested for leakage of, or contamination by, radioactive material and proper operation of the on-off mechanism and indicator, if any, at no longer than 6-month intervals or at such other intervals as are specified in the label; however:
- 1) Devices containing only krypton need not be tested for leakage of, or contamination by, radioactive material;

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- and
- ii) Devices containing only tritium or not more than 3.7 MBq (100 microCi) of other beta and/or gamma emitting material or 370 kBq (10 microCi) of alpha emitting material and devices held in storage in the original shipping container prior to initial installation need not be tested for any purpose;

- C) Shall assure that (including testing required by subsection (b)(3)(B) of this Section above), installation, servicing and removal from installation involving the radioactive material, its shielding or containment, are performed:
- i) In accordance with the instructions provided by the labels; or

- ii) By a person holding an applicable specific license from the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State to perform such activities;

- D) Shall maintain records showing compliance with the requirements of subsections (b)(3)(B) and (C) of this Section above. The records shall show the results of tests concerning the installation, testing for leakage or contamination, servicing and removal of radioactive material, its shielding or containment. The records also shall show the dates of performance of and the names of persons performing these tests. Records of tests for leakage of, or contamination by, radioactive material required by subsection (b)(3)(B) of this Section above shall be maintained for 1 year after the next required test for leakage or contamination is performed or until the sealed source is transferred or disposed of. Records of tests of the on-off mechanism and indicator required by subsection (b)(3)(B) of this Section above shall be maintained for 1 year after the next required test of the on-off mechanism and indicator is performed or until the sealed source is transferred or disposed of. Records which are required by subsection (b)(3)(C) of this Section above, other than records of tests for leakage of, or contamination by, radioactive material, shall be maintained for a period of 2 years from the date of the recorded event or until the device is transferred or disposed of;

- E) Upon the occurrence of a failure of or damage to, or any indication of a possible failure of or damage to, the shielding of the radioactive material or the on-off mechanism or indicator, or upon the detection of 185 Bq (5 mCi) or more removable radioactive material, shall immediately suspend operation of the device until it has been repaired by the manufacturer or other person holding an applicable specific license from the Department, the U.S.

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Nuclear Regulatory Commission, an Agreement State or a Licensing State to repair such devices, or disposed of by transfer to a person authorized by an applicable specific license to receive the radioactive material contained in the device and, within 30 days, furnish to the Department a report containing a brief description of the event and the remedial action taken;

F) Shall not abandon the device containing radioactive material;

G) Except as provided in subsection (b)(3)(H) of this Section below, shall transfer or dispose of the device containing radioactive material only by transfer to a specific licensee of the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State whose specific license authorizes him to receive the device and within 30 days after transfer of a device to a specific licensee shall furnish to the Department a report containing identification of the device by manufacturer's name and model number and the name and address of the person receiving the device. No report is required if the device is transferred to the specific licensee in order to obtain a replacement device;

H) Shall transfer the device to another general licensee only:

- i) Where the device remains in use at a particular location. In such case the transferor shall give the transferee a copy of subsection (b) of this Section and any safety documents identified in the label on the device and within 30 days after of the transfer, report to the Department the manufacturer's name and model number of device transferred, the name and address of the transferee and the name and/or position of an individual who may constitute a point of contact between the Department and the transferee; or
- ii) Where the device is held in storage in the original shipping container at its intended location of use prior to initial use by a general licensee;

I) Shall notify the Department in writing no later than 30 days after receiving a device containing radioactive material. Such notification shall include:

- i) The name and mailing address of the general licensee;
- ii) Information about the device, including the manufacturer, model, serial number, date of receipt, location of use within the radiation installation, and radionuclides and activities within the device;
- iii) Addresses at which devices are used or stored; and
- iv) The name and telephone number of an individual responsible for having knowledge of the applicable regulations and the authority to take required actions

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to achieve compliance. The appointment of a responsible individual does not relieve the general licensee of its responsibility to ensure compliance with the regulations;

J) Shall report changes in the information submitted pursuant to subsection 330.220(b)(3)(I) of this Section. Such changes shall be reported within 30 days after they occur;

K) Shall comply with the provisions of 32 Ill. Adm. Code 340.1210, 340.1220 and 340.1260 for reporting radiation incidents, theft, loss, leakage of, or contamination by, licensed material, but shall be exempt from the other requirements of 32 Ill. Adm. Code 340 and 400.

4) An out-of-state general licensee or other person from out-of-state shall notify the Department in writing prior to transporting a device into Illinois. Such notification shall include the proposed locations and periods of possession. The notification shall also include the information required by subsection (b)(3)(I) of this Section, except that the date of receipt of a device and its location within a radiation installation need not be reported. The out-of-state person shall report proposed changes in the notification information previously submitted under this subsection (b)(4) before the changes occur.

54) The general license in subsection (b)(1) of this Section above does not authorize the manufacture of devices containing radioactive material.

65) The general license provided in subsection (b)(1) of this Section above is subject to the provisions of 32 Ill. Adm. Code 310.40 through 310.90, 326, 331, 341 and Sections 330.310, 330.400 and 330.500 of this Part.

c) Luminous Safety Devices for Aircraft

1) A general license is hereby issued to own, receive, acquire, possess and use tritium or promethium-147 contained in luminous safety devices for use in aircraft, provided:

- A) Each device contains not more than 370 GBq (10 Ci) of tritium or 11.1 GBq (300 mCi) of promethium-147; and
- B) Each device has been manufactured, assembled or imported in accordance with a specific license issued by the U.S. Nuclear Regulatory Commission, or each device has been manufactured or assembled in accordance with the specifications contained in a specific license issued by the Department or an Agreement State to the manufacturer or assembler of such device pursuant to licensing requirements equivalent to those in 10 CFR 32.53 published January 1, 1998 1993, exclusive of subsequent amendments or editions.

2) Persons who own, receive, acquire, possess or use luminous safety devices pursuant to the general license in subsection (c)(1) of this Section above are exempt from the requirements of 32 Ill.

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Adm. Code 340 and 400, except that they shall comply with the provisions of 32 Ill. Adm. Code 340.1210 and 340.1220.

- 3) This general license does not authorize the manufacture, assembly or repair of luminous safety devices containing tritium or promethium-147.

4) This general license does not authorize the ownership receipt, acquisition, possession or use of promethium-147 contained in instrument dials.

- 5) This general license is subject to the provisions of 32 Ill. Adm. Code 310.40 through 310.90, 341 and Sections 330.310, 330.400 and 330.500 of this Part.

d) Ownership of Radioactive Material. A general license is hereby issued to own radioactive material without regard to quantity. Notwithstanding any other provisions of this Part, this general license does not authorize the manufacture, production, transfer, receipt, possession or use of radioactive material.

e) Calibration and References Sources

- 1) A general license is hereby issued to those persons listed below to own receive, acquire, possess, use and transfer, in accordance with the provisions of subsections (e)(4) and (5) of this Section below, americium-241 in the form of calibration or reference sources:

A) Any person who holds a specific license issued by the Department which authorizes him to receive, possess, use and transfer radioactive material; and

B) Any person who holds a specific license issued by the U.S. Nuclear Regulatory Commission which authorizes him to receive, possess, use and transfer special nuclear material.

- 2) A general license is hereby issued to own receive, possess, use and transfer plutonium in the form of calibration or reference sources in accordance with the provisions of subsections (e)(4) and (5) of this Section below to any person who holds a specific license issued by the Department which authorizes him to receive, possess, use and transfer radioactive material.

3) A general license is hereby issued to own receive, possess, use and transfer radium-226 in the form of calibration or reference sources in accordance with the provisions of subsections (e)(4) and (5) of this Section below to any person who holds a specific license issued by the Department which authorizes him to receive, possess, use and transfer radioactive material.

- 4) The general licenses in subsections (e)(1) through (3) of this Section above apply only to calibration or reference sources which have been manufactured in accordance with the specifications contained in a specific license issued to the manufacturer or importer of the sources by the U.S. Nuclear Regulatory Commission pursuant to 10 CFR 32.57 or 70.39, or which have been manufactured in accordance with the specifications contained in a specific license issued by the Department, an

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Agreement State or a Licensing State pursuant to licensing requirements equivalent to those contained in 10 CFR 32.57 or 70.39, published January 1, 1998 1993, exclusive of subsequent amendments or editions.

- 5) The general licenses provided in subsections (e)(1) through (3) of this Section above are subject to the provisions of 32 Ill. Adm. Code 310.40 through 310.90, 340, 341, 400 and Sections 330.310, 330.400 and 330.500 of this Part. In addition, persons who own receive, acquire, possess, use or transfer one or more calibration or reference sources pursuant to these general licenses:

A) Shall not possess at any one time, at any one location of storage or use, more than 185 kBq (5 microCi) of americium-241, 185 kBq (5 microCi) of plutonium or 185 kBq (5 microCi) of radium-226 in such sources;

B) Shall not receive, possess, use or transfer such source unless the source, or the storage container, bears a label which includes one of the following statements, as appropriate, or a statement which contains the information called for in one of the following statements, as appropriate:

- i) The receipt, possession, use and transfer of this source, Model _____, Serial No. _____, are subject to a general license and the regulations of the U.S. Nuclear Regulatory Commission or of a state with which the Commission has entered into an agreement for the exercise of regulatory authority. Do not remove this label.

CAUTION - RADIOACTIVE MATERIAL - THIS SOURCE CONTAINS (AMERICIUM-241) (PLUTONIUM). DO NOT TOUCH RADIOACTIVE PORTION OF THIS SOURCE.

Name of Manufacturer or Importer

AGENCY NOTE: Showing only the name of the appropriate material.

- ii) The receipt, possession, use and transfer of this source, Model _____, Serial No. _____, are subject to a general license and the regulations of a Licensing State. Do not remove this label.

CAUTION - RADIOACTIVE MATERIAL - THIS SOURCE CONTAINS RADIUM-226. DO NOT TOUCH RADIOACTIVE PORTION OF THIS SOURCE.

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Name of Manufacturer or Importer

- C) Shall not transfer, abandon or dispose of such source except by transfer to a person authorized by a license from the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State to receive the source;
- D) Shall store such source, except when the source is being used, in a closed container adequately designed and constructed to contain americium-241, plutonium or radium-226 which might otherwise escape during storage; and
- E) Shall not use such source for any purpose other than the calibration of radiation detectors or the standardization of other sources.
- 6) These general licenses do not authorize the manufacture of calibration or reference sources containing americium-241, plutonium or radium-226.
- f) General License for Use of Radioactive Material for Certain In Vitro Clinical or Laboratory Testing
- AGENCY NOTE: The New Drug provisions of the Federal Food, Drug and Cosmetic Act also govern the availability and use of any specific diagnostic drugs in interstate commerce.
- 1) A general license is hereby issued to any physician, veterinarian, clinical laboratory or hospital to receive, acquire, possess, transfer or use, for any of the following stated tests, in accordance with the provisions of subsections (f)(2) through (6) of this Section below, the following radioactive materials in prepackaged units for use in in vitro clinical or laboratory tests not involving internal or external administration of radioactive material, or the radiation therefrom, to human beings or animals:
- A) Carbon-14, in units not exceeding 370 kBq (10 microCi) each.
 - B) Cobalt-57, in units not exceeding 370 kBq (10 microCi) each.
 - C) Hydrogen-3 (tritium), in units not exceeding 1.85 MBq (50 microCi) each.
 - D) Iodine-125, in units not exceeding 370 kBq (10 microCi) each.
 - E) Mock iodine-125 reference or calibration sources, in units not exceeding 1.85 kBq (50 nCi) of iodine-129 and 185 Bq (5 nCi) of americium-241 each.
 - F) Iodine-131, in units not exceeding 370 kBq (10 microCi) each.
 - G) Iron-59, in units not exceeding 740 kBq (20 microCi) each.
 - H) Selenium-75, in units not exceeding 370 kBq (10 microCi) each.
- 2) No person shall receive, acquire, possess, use or transfer

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radioactive material pursuant to the general license established by subsection (f)(1) of this Section above until he has filed the Department form entitled "Certificate - In Vitro Testing with Radioactive Material Under General License," with the Department and received from the Department a validated copy of the form with certification number assigned. No person shall transfer a validated copy of the form to another person without prior written consent of the Department. The following information shall be furnished to the Department on the form entitled "Certificate - In Vitro Testing with Radioactive Material Under General License":

- A) Name and address of the physician, veterinarian, clinical laboratory or hospital;
 - B) The location of use; and
 - C) A statement that the physician, veterinarian, clinical laboratory or hospital has appropriate radiation measuring instruments to carry out in vitro clinical or laboratory tests with radioactive material as authorized under the general license in subsection (f)(1) of this Section above and that such tests will be performed only by personnel competent in the use of such instruments and in the handling of the radioactive material.
- 3) A person who receives, acquires, possesses or uses radioactive material pursuant to the general license established by subsection (f)(1) of this Section above shall comply with the following:
- A) The general licensee shall not possess at any one time, pursuant to the general license in subsection (f)(1) of this Section above, at any one location of storage, or use a total amount of iodine-125, iodine-131, selenium-75, iron-59 and/or cobalt-57 in excess of 7.4 MBq (200 microCi).
 - B) The general licensee shall store the radioactive material, until used, in the original shipping container or in a container providing equivalent radiation protection.
 - C) The general licensee shall use the radioactive material only for the uses authorized by subsection (f)(1) of this Section above.
 - D) The general licensee shall not transfer the radioactive material to a person who is not authorized to receive it pursuant to a license issued by the Department, the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State, nor transfer the radioactive material in any manner other than in the unopened, labeled shipping container as received from the supplier.
 - E) The general licensee shall dispose of the mock iodine-125 reference or calibration sources described in subsection (f)(1)(E) of this Section above as required by 32 Ill. Adm. Code 340.1010(a).

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- 4) The general licensee shall not receive, acquire, possess or use radioactive material pursuant to subsection (f)(1) of this Section above:

A) Except as prepackaged units which are labeled in accordance with the provisions of an applicable specific license issued pursuant to Section 330.280(g) of this Part or in accordance with the provisions of a specific license issued by the U.S. Nuclear Regulatory Commission, an Agreement State or a Licensing State which authorizes the manufacture and distribution of iodine-125, iodine-131, carbon-14, hydrogen-3 (tritium), iron-59, selenium-75, cobalt-57 or mock iodine-125 to persons generally licensed under subsection (f) of this Section or its equivalent; and

B) None of the following statements, as appropriate, or a statement which contains the information called for in one of the following statements, appears on a label affixed to each prepackaged unit or appears in a leaflet or brochure which accompanies the package:

- i) This radioactive material shall be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for in vitro clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of the U.S. Nuclear Regulatory Commission or of a state with which the Commission has entered into an agreement for the exercise of regulatory authority.

Name of Manufacturer

- ii) This radioactive material shall be received, acquired, possessed and used only by physicians, veterinarians, clinical laboratories or hospitals and only for in vitro clinical or laboratory tests not involving internal or external administration of the material, or the radiation therefrom, to human beings or animals. Its receipt, acquisition, possession, use and transfer are subject to the regulations and a general license of a Licensing State.

Name of Manufacturer

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- 5) The physician, veterinarian, clinical laboratory or hospital possessing or using radioactive material under the general license of subsection (f)(1) of this Section above shall report in writing to the Department, any changes in the information furnished by him in the "Certificate - In Vitro Testing with Radioactive Material Under General License", Department Form KLM.006. The report shall be furnished within 30 days after the effective date of such change.

- 6) Any person using radioactive material pursuant to the general license of subsection (f)(1) of this Section above is exempt from the requirements of 32 Ill. Adm. Code 340 and 400 with respect to radioactive material covered by that general license, except that such persons using the mock iodine-125 described in subsection (f)(1)(E) of this Section above shall comply with the provisions of 32 Ill. Adm. Code 340.1010(a), 340.1210 and 340.1220.

- 7) This general license is subject to the provisions of 32 Ill. Adm. Code 310 and 331.

g) Ice Detection Devices

- 1) A general license is hereby issued to own, receive, acquire, possess, use and transfer strontium-90 contained in ice detection devices, provided each device contains not more than 1.85 MBq (50 microCi) of strontium-90 and each device has been manufactured or initially transferred in accordance with a specific license issued by the U.S. Nuclear Regulatory Commission or each device has been manufactured or initially transferred in accordance with the specifications contained in a specific license issued by the Department or an Agreement State to the manufacturer of such device pursuant to licensing requirements equivalent to those in 10 CFR 32.61.

- 2) Persons who own, receive, acquire, possess, use or transfer strontium-90 contained in ice detection devices pursuant to the general license in subsection (g)(1) of this Section above:

- A) Shall, upon occurrence of visually observable damage, such as a bend or crack or discoloration from overheating to the device, discontinue use of the device until it has been inspected, tested for leakage or contamination and repaired by a person holding a specific license from the U.S. Nuclear Regulatory Commission or an Agreement State to manufacture or service such devices; or shall dispose of the device pursuant to the provisions of 32 Ill. Adm. Code 340.1010(a);
- B) Shall assure that all labels affixed to the device at the time of receipt, and which bear a statement which prohibits removal of the labels, are maintained thereon; and
- C) Are exempt from the requirements of 32 Ill. Adm. Code 340 and 400 except that such persons shall comply with the provisions of 32 Ill. Adm. Code 340.1010(a), 340.1210, 340.1220 and 340.1260.
- 3) This general license does not authorize the manufacture,

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assembly, disassembly or repair of strontium-90 in ice detection devices.

- 4) This general license is subject to the provisions of 32 Ill. Adm. Code 310.40 through 310.90, 341 and Sections 330.310, 330.400 and 330.500 of this Part.

(Source: Amended at 24 Ill. Reg. 8042, effective
JUN -1 2000)

SUBPART C: SPECIFIC AND GENERAL LICENSES

Section 330.250 General Requirements for the Issuance of Specific Licenses

- a) A license application or a request for an amendment to an existing license will be approved only if the Department determines that:

- 1) The applicant's Radiation Safety Officer and authorized users are applicant's qualified by reason of training and experience to use the material in question for the purpose requested in accordance with this Part in such a manner as to minimize danger to public health and safety or property;
- 2) The applicant's proposed equipment, facilities and procedures are adequate to minimize danger to public health and safety or property;
- 3) The issuance of the license will not be inimical to the health and safety of the public; and
- 4) The applicant satisfies any applicable special requirements in 32 Ill. Adm. Code: Chapter II, Subchapters b and d.

- b) Environmental Report, Commencement of Construction

- 1) In the case of an application for a license to receive and possess radioactive material for commercial waste disposal by land burial, or for the conduct of any other activity which the Department determines will significantly affect the quality of the environment, a license application shall be reviewed and approved by the Department before commencement of construction of the plant or facility in which the activity will be conducted. Issuance of the license shall be based upon a consideration by the Department of the environmental, economic, technical and other benefits in comparison with the environmental costs and available alternatives and a determination that the action called for is the issuance of the proposed license, with any appropriate conditions to protect environmental values;
- 2) Commencement of construction prior to such conclusion shall be grounds for denial of a license to receive and possess radioactive material in such plant or facility. As used in this subsection the term "commencement of construction" means any clearing of land, excavation or other substantial action that would adversely affect the environment of a site. The term does not mean site exploration, necessary borings to determine

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foundation conditions, or other preconstruction monitoring or testing to establish background information related to the suitability of the site or the protection of environmental values.

- c) Licensees must satisfy applicable financial assurance requirements specified in 32 Ill. Adm. Code 326. Financial Surety Arrangements for Reclaiming Sites--For purposes of this subsection, "reclaiming" shall mean returning property to a condition or state such that the property no longer presents a public health or safety hazard or threat to the environment.

AGENCY--NONE--For purposes of subsection (c) above, the term "reclaiming" includes but is not limited to those activities necessary to decommission the licensed facility (i.e., to remove (as a facility) safely from service and reduce residual radioactivity to a level that permits release of the property for unrestricted use and termination of license).

- ii) Unless exempted by subsections (c)(4) or (c)(5) below, issuance, renewal or amendment of a license shall be dependent upon satisfactory financial surety arrangements to ensure the protection of the public health and safety in the event of abandonment, default or other inability of the licensee to meet the requirements of the Act; this Part or 32-III-Adm-Code--Chapter II, Subchapters b and d--Self insurance or any arrangement which essentially constitutes self insurance will not satisfy the surety requirements since such arrangement provides no further assurance than being without insurance. Determination of satisfactory surety arrangements shall be subject to the following conditions:

- A) Financial surety arrangements for site reclamation may consist of surety bonds, certificates of deposit, deposits of government securities, letters of credit, insurance policies or any combination of the above for the categories of licenses listed in subsection (c)(3) below. The amount of funds to be ensured by such surety arrangements shall be based on Department approved reclaiming cost estimates for disposal of all radioactive material authorized under the license, including removal of all radioactive contamination caused by authorized removal to a level in conformance with 32-III-Adm-Code--340-Appendix A--The Department shall consider the following in approving the cost estimate of the financial surety requirements for each individual applicant or licensee--

- ii) The probable extent of contamination through the use or possession of radioactive material at the facility or site and the probable cost of removal of such contamination to a level in conformance with 32-III-Adm-Code--340-Appendix A--This consideration shall encompass probable contaminating events associated

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with the licensee's methods or modes of operation and shall be based on factors such as quantities and half-lives, radiation hazards and toxicities, and chemical and physical forms.

ii) The extent of possible offsite property damage caused by operation of the facility or site.

iii) The cost of removal and disposal of sources of radiation which are or would be generated, stored, processed or otherwise present at the licensed facility or site; and

iv) The costs involved in reclaiming the property on which the facility or site is located, and all other properties contaminated by radioactive material authorized under the license.

B) The financial surety arrangements shall be filed with and maintained by the Chief, Division of Radioactive Materials of the Department (hereafter referred to as the Division Chief), in a dollar amount greater than or equal to the amount approved by the Department and determined necessary to provide for the protection of public health and safety in accordance with subsection (c)(1)(A) above.

i) A licensee or applicant shall submit a cost estimate for approval by the Department in accordance with subsection (c)(1)(A) above.

ii) The licensee's surety arrangements may be reviewed annually by the Department and be adjusted to recognize any increases or decreases resulting from inflation or deflation, changes in engineering plans, activities performed and any other condition affecting costs for reclaiming to ensure that sufficient surety is retained to cover liability which remains until license termination.

iii) When a change in activities not requiring a license amendment would raise the cost estimate for reclaiming to an amount greater than the amount of financial surety currently filed with the Division Chief, the licensee shall, within 60 days after the increase, file additional financial surety at least equal to this increase.

iv) When a license amendment would raise the cost estimate for reclaiming to an amount greater than the amount of financial surety currently filed with the Division Chief, the amendment shall not be issued until the required surety arrangements are established.

v) When the current reclaiming cost estimate decreases upon the written request of the licensee and provided that the decrease is verified by the Division Chief, the Division Chief shall reduce the amount of

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financial surety required for the facility to the amount of the current reclaiming cost estimate. Upon such occurrence, the Division Chief shall consider the financial surety arrangements on file, either cause to be released to the licensee collateral which has been deposited equal to this reduction or allow the licensee to substitute for the arrangements on file new arrangements in the reduced amount.

vi) The term of the surety arrangements shall be for the period from issuance of the license until termination of the license by the Department in accordance with Section 330.328.

vii) Upon termination of the license, the Division Chief will release all surety amounts not previously forfeited by the licensee.

E) The Director:

i) May order that any financial surety filed by a licensee pursuant to subsection (c) be forfeited to the State if the Director determines that the licensee has failed to perform reclaiming to assure health and safety from radiation hazards and comply with other license requirements or orders pertaining to reclaiming. Such forfeiture action shall follow the procedures provided in 32 Ill. Adm. Code 208.

ii) Shall, upon the date of issuance of the final order described in subsection (c)(1)(i) above, notify the Attorney General who shall collect the forfeiture, if voluntary payment is not made within 30 days of the date of issuance of the final order.

iii) Shall deposit all funds from forfeited financial sureties in a temporary locally held trust fund to be administered by the Department for site reclaiming.

B) The licensee or applicant shall choose from the financial sureties arrangements specified in Section 330.330-Appendix G.

B) The wording of the financial surety may be identical to the wording of the corresponding arrangement in Section 330.330-Appendix B and shall contain provisions described in Section 330.330-Appendix G.

F) Use of Multiple Financial Surety Arrangements--The licensee or applicant may utilize more than one financial surety arrangement per facility to satisfy the requirement specified in subsection (c)(1) above. These arrangements are limited to bonds supported by letters of credit, insurance and securities. The arrangement shall be as specified in Section 330.330-Appendix G, except that it is the combination of arrangements rather than the single arrangement which shall provide financial surety for the necessary amount.

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- 6) Use-of-Financial-Surety-Arrangement-for-Multiple-Facilities and/or-Multiple-Licenses--at-a-Facility--the-licensor-or applicant-may-use-a-financial-surety-arrangement-specified in-Section-330-Appendix-G-to-meet-the-requirements-of subsection-(c)(1) above-for-more-than-one-licensor-he-holds or-more-than-one-facility-he-owns-or-operates-in-Illinois. The-arrangement-submitted-to-the-Division-Chief-shall include-a-list-indicating-for-each-facility-the-licensor number(s)-name(s)-address(es)-and-amount(s)-of-funds-for reclaiming-assured-by-the-arrangement--the-amount-of-funds available-through-the-arrangement-shall-not-be-less-than-the sum-of-the-sureties-that-would-be-available-if-a-separate arrangement-had-been-filed-and-maintained-for-each-licensor or-facility---if-more-than-one-licensor-exists-for-a facility--the-amount-of-funds-for-each-licensor-shall-be specified.
- H) Substitution-of-Alternate-Financial-Surety-Arrangement--the-licensor-may-substitute-alternate-financial-surety arrangements-specified-in-Section-330-Appendix-G-meeting-the requirements-of-subsection-(c)(1) above-for-the-financial surety-already-filed-with-the-Department-for-the-facility. However--the-existing-arrangements-shall-not-be-released-by the-Division-Chief-until--the-substitute-financial-surety arrangements-have-been-received-and-approved.
- I) Any-applicant-or-licensor-who-fulfills-the-requirements-of subsection-(c)(1) above-by-obtaining-a-surety-bond--letter of-credit-or-insurance-policy--will-be-deemed-to-be-without the-required-financial-surety-in-the-event-of-bankruptcy--of the-issuing-institution--or-a-suspension--or-revocation-of the-authority-of-the-institution-issuing-the-surety-bond--letter--of-credit--or-insurance-policy--to-issue-such instruments--the-applicant-or-licensor-shall-establish other--Department-approved-financial-surety-within-30-days after-such-an-event.
- 2) The-arrangements-required-in-subsection-(c)(1) above-shall-be established-prior-to-issuance--or-amendment-of-the-licensor-to assure-that-sufficient-funds-will-be-available-for-reclaiming. The-following-specific-licenses-are-required-to-make-financial surety arrangements--
- A) Major-processors-as-defined-in-32-III-Adm-Code-310-20;
- B) Waste-handling-licenses-as-defined-in-32-III-Adm-Code-310-20;
- C) Wet-source-storage-irradiators;
- D) Ore-processors-which-produce-source-material--tailings--or sludge;
- E) Possessors-of-source-material--tailings--or-sludge;
- F) Persons-who-use-particle-accelerators--to-manufacture radionuclides--for-distribution--to-other-licenses--or

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- customers.
- G) Power--U-S--Atomic-Energy-Commission--or--U-S--Nuclear Regulatory-Commission-licensed-facilities--that-were-licensed pursuant-to-10-CFR-50--exclusive-of-subsequent-amendments--or additions--unless-exempted-by-subsection-(c)(4) below.
- 4) The-following-persons-are-exempt-from-the-requirements-of subsection-(c)(1) above:
- A) All-State-local-or-other-government-agencies--unless-they are-subject-to-subsection-(c)(3)(A)-or-(c)(3)(B) above.
- Agency-Note--For-purposes-of-subsection-(c)7--government agencies-shall-not-include-federal--or--state--contractors non-governmental--recipients--of--government-grants--or non-governmental-medical-institutions.
- B) All-educational-institutions--and
- Agency-Note--An-educational-institution-is-a-non-profit organization--which-has--as--its--primary-purpose--the advancement-of-knowledge-in-one-or-more-specific-fields--and which-is--accredited--by--the--North-Central-Association-of Colleges-and-Schools.
- C) Persons-authorized-to-possess-only--those--radioactive materials-with-half-lives-of-65-days-or-less.
- 5) Unless-described-in-subsection-(c)(3) above--the-following persons-are-exempt-from-the-requirements-of-subsection-(c)(1) above:
- A) Persons--licensed--to-manufacture--or--possess--but--not distribute--radioactive-material--for-medical--purposes--including-veterinary-medicine;
- B) Persons-licensed-to-perform-industrial-radiography;
- C) Persons-licensed-to-perform-wireline-service-operations--and subsurface-tracer-studies;
- D) Persons--licensed--to--distribute--radio-pharmaceuticals; generators-or-reagent-kits-as-a-nuclear-pharmacy;
- E) Persons-licensed--to--distribute--without--processing--radioactive-material--or--products--containing--radioactive material;
- F) Persons-licensed--to--possess--irradiators--other-than-wet source-storage-irradiators;
- G) Persons-licensed--to--possess--source-material--(depleted uranium)--for-shielding-purposes;
- H) Persons-licensed-to-possess-radioactive-material-for-use-in analytical-instruments--and
- I) Persons-licensed-to-possess-radioactive-material-in-gauges or-other-measuring-systems.
- d) Long-Term Care Requirements
- 1) A license application will be approved only if the Department determines that a long-term care fund for monitoring and maintenance has been established by the waste handling applicant licensee prior to the issuance of the license; or

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- 2) The waste handling applicants may choose, at the time of the licensure, to provide a financial surety arrangement in lieu of a long-term care fund.

AGENCY NOTE: Long-term care funding may also be required for former U.S. Atomic Energy Commission or U.S. Nuclear Regulatory Commission licensed facilities, or persons whose activities cause situations that significantly affect the public health and safety, or the environment by reason of exposure to radiation or radioactive materials.

e) Emergency Plan

- 1) Except as exempted by subsection (e)(2) of this Section, each application to possess radioactive materials in excess of the quantities in Appendix C of this Part in unsealed form or sealed in glass or on foils or plated sources shall contain either:

A) An evaluation showing that the maximum dose to an individual offsite due to a release of radioactive materials would not exceed 10 mSv (1 rem) total effective dose equivalent or 50 mSv (5 rem) effective dose equivalent to the thyroid; or

B) An emergency plan, as described in Section 330.290 of this Part, for responding to a release of radioactive material.

- 2) The requirements of this subsection (e) do not apply to licensees that possess only radioactive waste packaged in Type B containers.

- 3) In evaluating the maximum dose to an individual pursuant to subsection (e)(1)(A) of this Section, the applicant may take into account whether:

A) The radioactive material is physically separated so that only a portion could be involved in an accident;

B) All or part of the radioactive material is not subject to release during an accident due to the method of storage or packaging;

C) The release fraction in the respirable size range is predicted to be lower than the release fraction shown in Appendix C of this Part due to the chemical or physical form of the material;

D) The solubility of the radioactive material is predicted to reduce the dose received;

E) Facility design or engineered safety features in the facility are predicted to cause the release fraction to be lower than shown in Appendix C of this Part; or

F) Operating restrictions or procedures are predicted to prevent a release fraction as large or larger than that shown in Appendix C of this Part.

(Source: Amended at 24 Ill. Reg. effective
JUN - 1 2006) 8042

Section 330.260 Special Requirements for Issuance of Certain Specific Licenses

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for Radioactive Materials

- a) Specific Licenses to Medical Institutions for Human Use of Radioactive Material. A specific license allowing a medical institution to use for human use of radioactive material for medical diagnosis, medical therapy, or medical research involving humans in institutions shall be issued only if the applicant has met the requirements of this Part and 32 Ill. Adm. Code 335 and the requirements set forth in Section 330.250.

- b) Specific Licenses to Individual Physicians for Human Use of Radioactive Material. An application by an individual physician or group of physicians for a specific license for human use of radioactive material shall be approved only if:

1) The applicant satisfies the general requirements specified in this Part Section 330.250;

2) The application is for use in the applicant's practice in an office outside a medical institution; and

- 3) The applicant has met the requirements of 32 Ill. Adm. Code 335. Specific Licenses for Distribution or Transfer of Radiopharmaceuticals Pharmacies--Being--Radioactive--Material. In addition to the requirements set forth in this Part, persons licensed by the Department for distribution or transfer of radiopharmaceuticals Section 330.250; a specific license for a pharmacy shall meet the following additional requirements:

1) Radiopharmaceuticals dispensed, and/or distributed or transferred for human use shall be either:

A) Repackaged from prepared radiopharmaceuticals that have been approved by the U.S. Food and Drug Administration (FDA) for medical use as defined in 32 Ill. Adm. Code 335.20; or

B) Prepared from generators and reagent kits that have been approved by the FDA for medical use, or are subject to the Illinois Food, Drug and Cosmetic Act [410 ILCS 620] or the Pharmacy Practice Act of 1987 [225 ILCS 85] are the subject of an FDA-approved "New Drug Application" (NDA) or for which the PBA has accepted an investigation--New--Drug Application--(IND).

- 2) Prepared radiopharmaceuticals for which PBA has accepted an IND and radiopharmaceuticals prepared from generators or reagent kits for which the PBA has accepted an IND shall be dispensed and/or distributed:

A) in accordance with the directions provided by the sponsor of the IND; and

B) Only to physicians who have been accepted by the sponsor of the IND to participate in clinical evaluation of the drug.

- 3) The licensee shall inform in writing each physician who participates in an IND evaluation that the physician is responsible to the sponsor of the IND for use of the drug in accordance with protocols established by the sponsor and for

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- reporting--to--the--sponsor--the--clinical--information--obtained through use of the drug;
- 4) The licensee shall procure biological products labeled with radionuclides or kits used to prepare such products from a supplier who holds an unsuspended or unrevoked license issued by either the U.S. Department of Health, Education and Welfare or the U.S. Department of Health and Human Services to propagate manufacture, prepare, label or distribute the products;
- 25) The licensee shall perform radiometric tests for molybdenum breakthrough upon each elution of a molybdenum-99/technetium-99m generator in accordance with the requirements of 32 Ill. Adm. Code 335.4020;
- 6) The licensee shall procure all radiopharmaceuticals from a supplier who manufactures or repackages the product under appropriate pharmaceutical controls related to assay, identity, quality, purity, sterility and non-pyrogenicity;
- 7) The licensee shall dispense radiopharmaceuticals only under the prescription of a specifically licensed physician who is authorized in a specific license to possess and use the radiopharmaceuticals or of a physician authorized under the provisions of a broad radioactive material license. The licensee shall maintain a copy of the recipient's radioactive material license of each customer, physician and shall verify that the physician is authorized to receive the prescribed radiopharmaceutical prior to transfer;
- 38) The licensee may distribute in vitro test kits to customers but shall neither remove any package insert nor violate the packaging;
- 9) The licensee shall subject each batch of sulfur colloid to microscopic tests for particle size and chromatographic tests for free pertechnetate and shall maintain records of such tests for inspection by the Department. Preparations which contain particles one micron or larger in diameter have more than ten percent free pertechnetate or appear flocculent or aggregated shall not be dispensed to customers;
- 410) The licensee shall report to the Department, within 10 days of occurrence, any irregularities pertaining to identification, labeling, quality or assay of any radiopharmaceutical received under the authority of this license.
- 5) For licensees authorized to dispense radiopharmaceuticals (such as nuclear pharmacies), the licensee shall ensure radiopharmaceuticals are dispensed only under the prescription of a physician who is authorized in a specific license to use the radiopharmaceuticals. The licensee shall maintain a copy of the recipient's radioactive material license and shall verify that the physician is authorized to receive the prescribed radiopharmaceutical prior to transfer.

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- d) Use of Sealed Sources in Industrial Radiography. In addition to the requirements set forth in Section 330-2507-A a specific license for use of sealed sources in industrial radiography shall be issued only if the applicant has met the requirements of this Part and 32 Ill. Adm. Code 350 and 405.
- i) The applicant will have an adequate program for training radiographers and radiographer's assistants and submits to the Department a schedule or description of such program which specifies the--
- A) Initial training;
 - B) Periodic training;
 - C) On-the-job training;
 - D) Means to be used by the licensee to determine the radiographer's knowledge and understanding of and ability to comply with the conditions of the license; the provisions of this Part and 32 Ill. Adm. Code 3107-3207-3407-3417-350 and 400 and the operating and emergency procedures of the applicant; and
- B) Means to be used by the licensee to determine the radiographer's assistants' knowledge and understanding of and ability to comply with the operating and emergency procedures of the applicant;
- 2) The applicant has established and submits to the Department satisfactory written operating and emergency procedures described in 32 Ill. Adm. Code 350-2020;
- 3) The applicant will have an internal inspection system to assure that the requirements of 32 Ill. Adm. Code 3107-3207-3407-3417-3507-400 and this Part's license provisions and the applicant's operating and emergency procedures are followed by radiographers and radiographer's assistants; the inspection system shall include the performance of internal inspections at intervals not to exceed 3 months and the retention of records of such inspections for 2 years; the inspection records shall contain the date, name of the person performing the inspection, inspection findings and a description of any corrective action taken;
- 4) The applicant submits to the Department a description of the overall organizational structure pertaining to the industrial radiography program including specified delegations of authority and responsibility for operation of the program;
- 5) The applicant who desires to conduct his own leak tests has established adequate procedures to be followed in testing sealed sources for possible leakage and contamination and submits to the Department a description of such procedures including:
- A) Instrumentation to be used;
 - B) Method of performing tests; and
 - C) Pertinent experience of the individual who will perform the test.

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- 6) The license shall conduct a program for inspection and maintenance of radiographic exposure devices and storage containers to assure proper functioning of components important to safety.

- e) Use of Radioactive Materials in Wireline Service Operations and Subsurface Tracer Studies. A specific license for use of radioactive material in wireline operations shall be issued only if the applicant has met the requirements of this Part and 32 Ill. Adm. Code 351.

(Source: Amended at 24 Ill. Reg. 8042 effective JUN - 1 1980)

Section 330.290 Requirements for Emergency Plans

- a) An emergency plan for responding to a release of radioactive material submitted under Section 330.250(e) of this Part shall include the following information:

- 1) Facility Description. A brief description of the applicant's facility and area near the site.
- 2) Types of Accidents. An identification of each type of radioactive materials accident for which actions may be needed to protect members of the public.

- 3) Classification of Accidents. A method for classifying accidents as alerts or site area emergencies as defined below:

- A) "Alert" means a condition in which events may occur, are in progress, or have occurred that could lead to a release of radioactive material but in which the release is not expected to require a response by offsite response organizations to protect individuals offsite.

- B) "Site area emergency" means a condition in which events may occur, are in progress, or have occurred that could lead to a significant release of radioactive material that could require a response by offsite response organizations to protect individuals offsite.

- 4) Detection of Accidents. Identification of the means of detecting each type of accident in a timely manner.

- 5) Mitigation of Consequences. A brief description of the means and equipment for mitigating the consequences of each type of accident, including those provided to protect workers onsite, and a description of the program for maintaining the equipment.

- 6) Assessment of Releases. A brief description of the methods and equipment to assess releases of radioactive materials.

- 7) A) The names and titles of the applicant's personnel responsible for developing, maintaining and updating the plan.

- B) A brief description of the responsibilities of the applicant's personnel should an accident occur, including

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identification of personnel responsible for promptly notifying offsite response organizations, including the Department.

- C) A list of offsite response organizations and a description of their responsibilities and anticipated actions.

- 8) Notification and Coordination.

- A) A brief description of the means, in the event of a classified accident, of promptly notifying and, if necessary, requesting assistance from the offsite response organizations listed pursuant to subsection (a)(7)(C) of this Section. The assistance requested may include, but need not be limited to, medical treatment of contaminated or injured onsite workers.

- B) A description or drawing of locations designated as locations from which control and assessment of an accident would be exercised (i.e., control points).

- C) Provisions for arranging notification and coordination so that unavailability of some personnel, parts of the facility, or some equipment will not prevent notification and coordination.

- 9) Information to be Communicated. A brief description of the information to be provided to offsite response organizations, including the Department, in the event of a classified accident. The types of information to be provided shall include the status of the facility, a description of radioactive releases, the names and telephone numbers of onsite personnel designated as points of contact and recommendations for protective actions.

AGENCY NOTE: Protective actions means actions taken by members of the public to protect themselves from radiation from an incident involving radioactive material, which may include sheltering, evacuation, relocation, control of access, administration of radioprotective drugs, decontamination of persons, decontamination of land or property, or control of food or water.

- 10) Training.

- A) A brief description of the performance objectives and plans for annual training that the applicant will provide workers on how to respond to an emergency, including any special instructions and orientation tours that the applicant will provide for fire, police, medical and other emergency personnel.

- B) Provisions for familiarizing personnel with site-specific emergency procedures.

- C) Provisions for preparing site personnel for their responsibilities for a range of accident scenarios for the specific site, including the use of drills, exercises and team training for such scenarios.

- 11) Safe Shutdown. A brief description of the means of restoring the

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facility to a safe condition after an accident.

- 12) Exercises. Provisions for:
- Conducting quarterly communications checks with offsite response organizations that include the verification and updating of all necessary phone numbers.
 - Inviting offsite response organizations to participate in biennial exercises.

AGENCY NOTE: Participation of offsite response organizations in biennial exercises, although recommended, is not required.

- Using accident scenarios postulated as most probable for the specific site.
- Ensuring that accident scenarios are not known to exercise participants.

E) Providing critiques of each exercise by individuals who have no direct implementation responsibility for the plan.

- The applicant shall allow the offsite response organizations expected to respond in case of an accident 60 days to comment on the applicant's emergency plan before submitting it to the Department. Significant amendments to the plan should also be provided to offsite agencies for comment before submission to the Department. The applicant shall provide any comments received within the 60 days to the Department with the emergency plan.

- Hazardous Chemicals. The applicant shall certify to the Department that it has met its responsibilities under the Emergency Planning and Community Right-to-Know Act of 1986, Title III, Pub. L. 99-499 (42 USC 11001 et seq.), if applicable to the applicant's activities at the proposed place of use of the radioactive material.

d) The licensee shall:

- Comply with the provisions and descriptions of the emergency plan submitted pursuant to this Section;
- Update the emergency plan at intervals not to exceed 1 year, and report the update to the Department and to affected offsite response organizations within 30 days after the update is completed;
- Obtain Departmental approval before implementing changes to the plan, except for updates to names, titles and telephone numbers;
- Provide training at intervals not to exceed 1 year for all personnel with responsibilities for responding to accidents postulated as most probable for the specific site;
- Conduct biennial onsite exercises to test the response to simulated emergencies;
- Perform critiques of drills and exercises and ensure that such critiques evaluate the appropriateness of the emergency plan, emergency procedures, facilities, equipment, training of personnel and overall effectiveness of the response;
- Correct deficiencies noted in critiques of drills and exercises; and

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- Notify offsite response organizations, including the Department, immediately after the licensee declares an alert or site area emergency.

AGENCY NOTE: The reporting requirement of subsection (d)(8) of this Section does not supersede or relieve licensees from complying with the requirements of the Emergency Planning and Community Right-to-Know Act of 1986, Title III, Pub. L. 99-499 (42 USC 11001 et seq.) or other State or federal reporting requirements.

(Source: Added at 24 Ill. Reg. 8042 effective JUN - 1 2000)

Section 330.310 Specific Terms and Conditions of Specific and General Licenses

- Each specific or general license issued pursuant to this Part shall be subject to all applicable license conditions, provisions of the Radiation Protection Act of 1990-(the Act)-(iii)-Rev.-Stat.-1991-ch-11-i/2,--par--310-i-et-seq- (420 ILCS 40)-now-or-hereafter-in effect, and to all applicable rules, regulations and orders of the Department.

- Each person granted a general license by this Part shall provide information required by the Department to track the location and use of generally-licensed devices. Such information shall be in the format prescribed by the Department and shall be due within the time frame indicated on the notification.

- No specific license issued or granted to any person pursuant to under this Part and no right to possess or use radioactive material granted to any person by any specific license issued pursuant to this Part shall be transferred, assigned, or in any manner disposed of, either voluntarily or involuntarily, directly or indirectly, through transfer of control of the specific any license to any other person unless the Department shall, after securing full information, first:
 - Finds that that the proposed transfer, assignment or disposal is in accordance with the provisions of the Act; and
 - Consents shall-give-its-consent in writing to the proposed transfer, assignment or disposal.

AGENCY NOTE: Department consent is required prior to any transfer or assignment of a specific license. A purported transfer or assignment without prior written consent may subject the purported transferor or assignor to penalties for violating this Section. Likewise, a purported transferee or assignee may also be subject to penalties if it does not have a valid specific license and possesses radioactive material or performs activities requiring a valid specific license.

- Upon approval from the Department pursuant to subsection (c)(2) of this Section for transfer, assignment or disposal of a specific license, the transferor shall ensure the following information is

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provided to the transferee:

- 1) The radioactive material license and all documents referenced in the license;
- 2) Records maintained in accordance with 32 Ill. Adm. Code 340, Subpart L, inventory records, and any other records required by subsections (k) and (l) of this Section; and
- 3) Any other information required by the Department pursuant to the approval granted.

ge) Each person licensed by the Department pursuant to this Part shall confine use and possession of the material licensed to the locations and purposes authorized in the license.

fd) Each person issued a specific license pursuant to this Part shall maintain the license in accordance with the requirements of Section 330.320 of this Part ~~licensee shall notify the Department in writing prior to commercial activities to reclaim the licensed facility.~~

g) When temporary jobsites are authorized on a specific license, radioactive material may be used at temporary jobsites, in areas not under exclusive federal jurisdiction, throughout the State of Illinois.

AGENCY NOTE: Authorization for use of byproduct radioactive materials at jobsites under exclusive federal jurisdiction must be obtained from the United States Nuclear Regulatory Commission, either by filing an NRC Form-241 in accordance with 10 CFR 150.20(b), "Recognition of Agreement State Licenses," or by applying for a specific license from the NRC. Also, specific licenses issued by the Department do not authorize activities in other states. Before radioactive materials can be used at a temporary jobsite in another state, a license must be obtained from the appropriate state or federal regulatory agency.

h) Each person issued a specific license pursuant to this Part shall apply for an appropriate license amendment not later than 30 days after a Radiation Safety Officer permanently discontinues performance of duties under the license.

i) Each specific licensee shall notify the Department in writing not later than 60 days after principal activities involving the use of radioactive materials, other than sealed sources, at the site or in a separate building or outdoor area have not occurred for a period of 2 years, and the licensee has not decontaminated the site or area.

AGENCY NOTE: Principal activities are those originally authorized on the license for that site or location. For example, licensees could not store radioactive material in an otherwise unused building to avoid end-of-use decommissioning, unless storage was a principal activity for that building.

This notification shall include a description of the location of the site, building or outdoor area and a plan for reclaiming or decommissioning these facilities (including a proposed schedule) for release in accordance with applicable regulations. The notification shall include an evaluation of any changes, if required, to financial assurance arrangements submitted in accordance with 32 Ill. Adm. Code

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326. Upon approval of the plan by the Department, implementation shall begin within 6 months and be completed within 24 months after approval (unless the Department approves a different schedule).
AGENCY NOTE: 32 Ill. Adm. Code 340.1310 requires licensees to notify the Department no less than 30 days before vacating or relinquishing possession or control of premises that may have been contaminated with radioactive material.

je) Notification of Bankruptcy

1) Each specific or general licensee shall notify the Department, in writing, immediately following the filing of a voluntary or involuntary petition for bankruptcy under any Chapter of Title II (Bankruptcy) of the United States Code by or against:

- A) The licensee;
- B) An entity (as the term is defined in 11 USC 541(c)-101(14)) controlling the licensee or listing the licensee or licensee as property of the estate; or
- C) An affiliate (as the term is defined in 11 USC 541(c)-101(2)) of the licensee.

2) This notification shall indicate:

- A) The bankruptcy court in which the petition for bankruptcy was filed; and
- B) The date of the filing of the petition;
- C) The chapter under which the bankruptcy petition has been filed;

D) The name, address and phone number of the bankruptcy trustee (if a trustee has been named at the time of the notification);

E) Whether the licensed radiation source remains in the possession and control of the licensee and whether any change in possession or control is expected or contemplated;

F) The name of the person in possession and control of the licensed radiation source if the licensee no longer maintains possession or control; and

G) Whether the Illinois Department of Nuclear Safety has been named in the bankruptcy petition either as a creditor or in some other capacity.

k) Recordkeeping Requirements for Potentially Contaminated Areas. Except for areas containing only sealed sources, provided the sources have not leaked, or no contamination remains after any leakage, and except for areas where only radioactive materials with half-lives less than 90 days were used or stored, each specific licensee shall keep:

- 1) Records of spills or other unusual occurrences involving the spread of contamination in and around the facility, equipment or site, when contamination remains after any cleanup procedures or when there is reasonable likelihood the contaminants may have spread to inaccessible areas (as in the case of possible seepage into porous materials such as concrete). These records must include the location and any known information on identification

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of involved radionuclides, quantities, chemical and physical forms, and concentrations.

- 2) Drawings and subsequent modifications of structures and equipment in restricted areas where radioactive materials are used or stored, and of locations of possible inaccessible contamination, such as buried or enclosed pipes, that may be subject to contamination. If required drawings are referenced, each relevant document need not be indexed individually. If drawings are not available, the licensee shall substitute appropriate records of available information concerning these areas and locations.

- 1) Each licensee shall maintain the following records, if applicable:

- 1) Records of all areas where low-level radioactive wastes were buried, including areas previously authorized by and documented pursuant to 10 CFR 20.2108.
- 2) Records of the Department-approved cost estimate for the amount certified for reclaiming and the associated reclamation plan, for licensees required by 32 Ill. Adm. Code 326 to secure financial assurance arrangements.
- 3) All records required to be maintained pursuant to 32 Ill. Adm. Code Chapter II, Subchapters b and d.
- m) To lawfully obtain termination for a specific licensee, each licensee shall meet the termination requirements of this Part.

(Source: Amended at 24 Ill. Reg. 8042, effective JUN - 1 2000)

Section 330.340 Amendment of Licenses at Request of Licensee

Applications for amendment of a license shall be filed in accordance with Section 330.240 of this Part and shall specify the purpose for which the licensee desires the license to be amended and the grounds for such amendment. The Department shall not issue amendments to licenses that were issued before June 17, 1987, for naturally occurring or accelerator-produced radioactive

(Source: Amended at 24 Ill. Reg. 8042, effective JUN - 1 2000)

Section 330.350 Department Action on Application to Renew and Amend

In considering an application by a licensee to renew or amend the license, the Department will apply the criteria set forth in this Part and 32 Ill. Adm. Code: Chapter II, Subchapters b and d, Sections 330.250, 330.260, 330.270 or 330.280 as applicable.

(Source: Amended at 24 Ill. Reg. 8042, effective JUN - 1 2000)

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Section 330.360 Persons Possessing a License for Source, Byproduct, or Special Nuclear Material in Quantities Not Sufficient to Form a Critical Mass on Effective Date of This Part (Repealed)

Any person who, on the effective date of this Part, possesses a general or specific license for source, byproduct, or special nuclear material in quantities not sufficient to form a critical mass, issued by the U.S. Nuclear Regulatory Commission, shall be deemed to possess a like license issued under this Part and the Act. Such license shall expire on the date of expiration specified in the U.S. Nuclear Regulatory Commission license.

(Source: Repealed at 24 Ill. Reg. 8042, effective JUN - 1 2000)

Section 330.500 Modification and Revocation of Licenses

- a) The terms and conditions of all licenses shall be subject to amendment, revision, or modification or the license may be suspended or revoked by reason of amendments to the Act, or by reason of rules, regulations, and orders issued by the Department in accordance with 32 Ill. Adm. Code 200.

- b) In accordance with 32 Ill. Adm. Code 200, any license may be revoked, suspended, or modified, in whole or in part, for any material false statement in the application or any statement of fact required under provisions of the Act, or because of conditions revealed by such application or statement of fact or any report, record, or inspection or other means which would warrant the Department to refuse to grant a license on an original application, or for violation of, or failure to observe any of the terms and conditions of the Act, or of the license, or of any rule, regulation, or order of the Department.

- c) Except in cases of willfulness or those in which the public health, interest, or safety requires otherwise, no license shall be modified, suspended, or revoked unless, prior to the institution of proceedings therefor, facts or conduct which may warrant such action shall have been called to the attention of the licensee in writing and the licensee shall have been accorded an opportunity to demonstrate or achieve compliance with all lawful requirements.

(Source: Amended at 24 Ill. Reg. 8042, effective JUN - 1 2000)

Section 330.900 Reciprocal Recognition of Licenses

- a) Licenses of byproduct, source, and special nuclear material in quantities not sufficient to form a critical mass
- 1) Subject to this Part, any person who holds a specific license from the U.S. Nuclear Regulatory Commission or another state an Agreement State is hereby granted a general license to conduct

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the activities authorized in such licensing document within this State, in areas not under exclusive federal jurisdiction, for a period not in excess of 180 days in any 12-month period, provided that:

1A) A current copy of the licensing document is on file with the Department and activities authorized by such document are not limited to specified installations or locations;

2B) The out-of-state licensee notifies the Department by telephone, telefacsimile, teletype or letter prior to engaging in such activities. Such notification shall indicate the location, period and type of proposed possession and use within the State. If initial notification was by telephone, telefacsimile or teletype, the out-of-state licensee shall submit to the Department within 10 days following such notification a letter which contains the above information. Upon receipt from the out-of-state licensee of a written request which contains a schedule of activities to be conducted within Illinois, the Department shall waive the requirement for additional notifications of activities on that schedule during the 12-month period following the receipt of the initial notification from a person engaging in activities under the general license provided in this Section subsection (a)(1);

3C) The out-of-state licensee complies with 32 Ill. Adm. Code: Chapter II and with all the terms and conditions of the licensing document, except any such terms and conditions which may be inconsistent with 32 Ill. Adm. Code: Chapter II; 4B) The out-of-state licensee supplies such other information as the Department may request to show compliance with 32 Ill. Adm. Code: Chapter II; and

5B) The out-of-state licensee shall not transfer or dispose of radioactive material possessed or used under the general license provided in this Section subsection (a)(1) above except by transfer to a person:

A) Specifically licensed by the Department, or by the U.S. Nuclear Regulatory Commission or another state to receive such material; or

B) Exempt from the requirements for a license for such material under Section 330.40(a) of this Part.

b2) In addition to Notwithstanding the provisions of subsection (a) of this Section (1) above, any person who holds a specific license issued by the U.S. Nuclear Regulatory Commission or another state an Agreement--State authorizing the holder to manufacture, transfer, install or service a device described in Section 330.220 (b)(1) of this Part within areas subject to the jurisdiction of the licensing body is hereby granted a general license to install, transfer, demonstrate or service such a device in this State, provided that:

1A) Such person shall file a report with the Department within 30 days after the end of each calendar quarter in which any device

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is transferred to or installed in this State. Each such report shall identify each general licensee to whom such device is transferred by name and address, the type of device transferred and the radionuclide and activity of radioactive material contained in the device;

2B) The device has been manufactured, labeled, installed and serviced in accordance with applicable provisions of the specific license issued to such person by the U.S. Nuclear Regulatory Commission or another state an Agreement--State;

3C) Such person shall assure that any labels required to be affixed to the device under regulations of the authority that licensed manufacture of the device bear a statement that "Removal of this label is prohibited"; and

4B) The holder of the specific license shall furnish to each general licensee to whom he transfers or on whose premises he installs such a device a copy of the general license contained in Section 330.220(b) of this Part or in equivalent regulations of the agency having jurisdiction over the manufacture and distribution of the device.

c3) The Department may withdraw, limit or qualify its acceptance of any specific license or equivalent licensing document issued by the U.S. Nuclear Regulatory Commission or another state an Agreement--State, or any product distributed pursuant to such license licensing document, if the Department determines that had the person individual been licensed in Illinois by the Department, the license would have been subject to action under Section 330.500 of this Part or 32 Ill. Adm. Code 310.90.

b) Licenses of Naturally Occurring and Accelerator Produced Radioactive Material

1) Subject to this Part, any person who holds a specific license or equivalent authorization from a licensing State is hereby granted a general license to conduct the activities authorized in such licensing document or equivalent authorization within this State for a period not in excess of 180 days in any 12-month period, provided that:

A) A current copy of the licensing document or equivalent authorization is on file with the Department and the activities authorized by such document are not limited to specified installations or locations;

B) The out-of-state licensee notifies the Department by telephone, telefacsimile, teletype or letter prior to engaging in such activities. Such notification shall indicate the location, period and type of proposed possession and use within the State. If initial notification was by telephone, telefacsimile or teletype, the out-of-state licensee shall submit to the Department within 10 days following such notification a letter which contains the above information. Upon receipt from the

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out-of-state-licensee-of-a-written-request-which-contains-a-schedule-of-activities-to-be-conducted-within-Illinois; the Department will waive the requirement for additional notifications of activities on that schedule during the 12-month period following the receipt of the initial notification from a person engaging in activities under the general license provided in subsection (a)(1).

E) The out-of-state licensee complies with 32 Ill. Adm. Code, Chapter II and with all the terms and conditions of the licensing document or equivalent authorization except any such terms and conditions which may be inconsistent with 32 Ill. Adm. Code, Chapter II.

B) The out-of-state licensee supplies any other information necessary to show compliance with 32 Ill. Adm. Code, Chapter II, and

E) The out-of-state licensee shall not transfer or dispose of radioactive material possessed or used under the general license provided in subsection (b)(1) above except by transfer to a person:

1) Specifically licensed by the Department or by another licensing State to receive such material; or

2) Exempt from the requirements for a license for such material under Section 330-40.

3) Notwithstanding the provisions of subsection (b)(1) above, any person who holds a specific license or equivalent authorization issued by a licensing State authorizing the holder to manufacture, transfer, install, or service a device described in Section 330-220(b)(1) within areas subject to the jurisdiction of the licensing body is hereby granted a general license to install, transfer, demonstrate or service such a device in this State provided that:

A) Such person shall file a report with the Department within 30 days after the end of each calendar quarter in which any device is transferred to or installed in this State. Each such report shall identify each general license to whom such device is transferred by name and address, the type of device transferred and the radionuclide and activity of radioactive material contained in the device.

B) The device has been manufactured, labeled, installed and serviced in accordance with applicable provisions of the specific license or equivalent authorization issued to such person by a licensing State.

E) Such person shall assure that any labels required to be affixed to the device under regulations of the authority that licensed or otherwise authorized manufacture of the device bear a statement that removal of this label is prohibited, and

B) The holder of the specific license or equivalent

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authorization shall furnish to each general licensee to whom he transfers or on whose premises he installs such a device a copy of the general license contained in Section 330-220(b) or in equivalent regulations of the agency having jurisdiction over the manufacture and distribution of the device.

3) The Department may withdraw, limit or qualify its acceptance of any specific license or equivalent authorization issued by a licensing State or any product distributed pursuant to such license or equivalent authorization if the Department determines that had the out-of-state licensee been licensed by Illinois, the licensee's license would have been subject to action under Section 330-500 or 32 Ill. Adm. Code 310-90.

(Source: Amended at 24 Ill. Reg. 8042, effective
JUN - 1 2000)

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Section 330.APPENDIX C Quantities of Radioactive Materials Requiring Consideration of the Need for an Emergency Plan for Responding to a Release Groups-of-Medical-uses-of-Radioactive-Materials (Repeated)

Radioactive Material(1)	Release Fraction	Quantity (GBq)	Quantity (Ci)
Actinium-228	0.001	148,000	4,000
Americium-241	0.001	74	2
Americium-242	0.001	74	2
Americium-243	0.001	74	2
Antimony-124	0.01	148,000	4,000
Antimony-126	0.01	222,000	6,000
Barium-133	0.01	370,000	10,000
Barium-140	0.01	1,110,000	30,000
Bismuth-207	0.01	185,000	5,000
Bismuth-210	0.01	22,200	600
Cadmium-109	0.01	37,000	1,000
Cadmium-113	0.01	2,960	80
Calcium-45	0.01	740,000	20,000
Californium-252	0.001	333	9 (20mq)
Carbon-14 (Non-CO(2))	0.01	1,850,000	50,000
Cerium-141	0.01	370,000	10,000
Cerium-144	0.01	11,100	300
Cesium-134	0.01	74,000	2,000
Cesium-137	0.01	111,000	3,000
Chlorine-36	0.5	3,700	100
Chromium-51	0.01	11,100,000	300,000
Cobalt-60	0.001	185,000	5,000
Copper-64	0.01	7,400,000	200,000
Curium-242	0.001	2,220	60
Curium-243	0.001	110	3
Curium-244	0.001	148	4
Curium-245	0.001	74	2
Europium-152	0.01	18,500	500
Europium-154	0.01	14,800	400
Europium-155	0.01	111,000	3,000
Gadolinium-153	0.01	185,000	5,000
Germanium-68	0.01	74,000	2,000
Gold-198	0.01	1,110,000	30,000
Hafnium-172	0.01	14,800	400
Hafnium-181	0.01	259,000	7,000
Holmium-166m	0.01	3,700	100
Hydrogen-3	0.5	740,000	20,000
Indium-114m	0.01	37,000	1,000
Iodine-125	0.5	370	10
Iodine-131	0.5	370	10
Iridium-192	0.001	1,480,000	40,000

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Iron-55	0.01	1,480,000	40,000
Iron-59	0.01	259,000	7,000
Krypton-85	1.0	222,000,000	6,000,000
Lead-210	0.01	296	8
Manganese-56	0.01	2,220,000	60,000
Mercury-203	0.01	370,000	10,000
Molybdenum-99	0.01	1,110,000	30,000
Neptunium-237	0.001	74	2
Nickel-63	0.01	740,000	20,000
Niobium-94	0.01	11,100	300
Phosphorus-32	0.5	3,700	100
Phosphorus-33	0.5	37,000	1,000
Polonium-210	0.01	370	10
Potassium-42	0.01	333,000	9,000
Promethium-145	0.01	148,000	4,000
Promethium-147	0.01	148,000	4,000
Ruthenium-106	0.01	7,400	200
Samarium-151	0.01	148,000	4,000
Scandium-46	0.01	111,000	3,000
Selenium-75	0.01	370,000	10,000
Silver-110m	0.01	37,000	1,000
Sodium-22	0.01	333,000	9,000
Sodium-24	0.01	370,000	10,000
Strontium-89	0.01	111,000	3,000
Strontium-90	0.01	3,330	90
Sulfur-35	0.5	33,300	900
Technetium-99	0.01	370,000	10,000
Technetium-99m	0.01	14,800,000	400,000
Tellurium-127m	0.01	185,000	5,000
Tellurium-129m	0.01	185,000	5,000
Terbium-160	0.01	148,000	4,000
Thulium-170	0.01	148,000	4,000
Tin-113	0.01	370,000	10,000
Tin-123	0.01	111,000	3,000
Tin-126	0.01	37,000	1,000
Titanium-44	0.01	3,700	100
Vanadium-48	0.01	259,000	7,000
Xenon-133	1.0	33,300,000	900,000
Yttrium-91	0.01	74,000	2,000
Zinc-65	0.01	185,000	5,000
Zirconium-93	0.01	14,800	400
Zirconium-95	0.01	185,000	5,000
Any other beta-gamma emitter	0.01	370,000	10,000
Mixed fission products	0.01	37,000	1,000
Mixed corrosion products	0.01	370,000	10,000
Contaminated equipment, beta-gamma	0.001	370,000	10,000

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<u>Irradiated material, any form other than solid noncombustible</u>	<u>0.01</u>	<u>37,000</u>	<u>1,000</u>
<u>Irradiated material, solid noncombustible</u>	<u>0.001</u>	<u>370,000</u>	<u>10,000</u>
<u>Mixed radioactive waste, (2) beta-gamma</u>	<u>0.01</u>	<u>37,000</u>	<u>1,000</u>
<u>Packaged mixed waste, (2) beta-gamma</u>	<u>0.001</u>	<u>370,000</u>	<u>10,000</u>
<u>Any other alpha emitter</u>	<u>0.001</u>	<u>74</u>	<u>2</u>
<u>Contaminated equipment, Alpha</u>	<u>0.0001</u>	<u>740</u>	<u>20</u>
<u>Packaged waste, alpha(2)</u>	<u>0.0001</u>	<u>740</u>	<u>20</u>

(1) For combinations of radioactive materials, the licensee is required to consider whether an emergency plan is needed if the sum of the ratios of the quantity of each radioactive material authorized to the quantity listed for that material above exceeds one.

(2) Waste packaged in Type B containers does not require an emergency plan.

(Source: Added at 24 Ill. Reg. 8042 - 3, effective
JUN - 1 2000)

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Section 330.APPENDIX G Financial Surety Arrangements (Section 330.250 (c)(1)(D) (Repealed)

- a) Surety Bond--if an applicant or licensee elects to satisfy surety requirements of Section 330.250(c)(1) by filing a surety bond, that bond shall conform to the following requirements:
- 1) The surety company issuing the bond shall, at a minimum, be among those listed as acceptable sureties or reinsurers on federal bonds in Circular 570 of the U.S. Department of Treasury, entitled "Surety Companies Acceptable On Federal Bonds", 52 Fed. Reg. 24601, revised as of July 17, 1987.
- 2) The wording of the surety bond shall contain the provisions specified in subsection (1) of Section 330.Appendix H. Additional conditions may be agreed to between the applicant or licensee and the surety company so long as no requirement of this Part nor other required provision is avoided or altered.
- 3) The surety bond guarantees that:
- a) Funds will be available to perform reclaims in accordance with 32 Ill. Adm. Code 340.Appendix A to assure health and safety from radiation hazards and other requirements of the licensee for the facility whenever required by the Department;
- b) Surety waives notification of amendments to licenses applicable to laws, statutes, rules and regulations and agrees that no such amendment shall in any way alleviate its obligation on the bond; and
- c) The licensee will provide alternate financial surety as specified in Section 330.250(c)(1) and obtain the Division Chief's written approval of the assurance provided within 90 days of receipt by both the licensee and the Division Chief of a notice of cancellation of the bond from the surety.
- 4) Under the terms of the bond the surety shall become liable on the bond obligation when the licensee fails to perform as guaranteed by the bond. Following a determination by the Division Chief that the licensee has failed to so perform under the terms of the bond the surety shall perform reclaims to the satisfaction of the State as guaranteed by the bond or shall forfeit the amount of the penal sum, as provided in Section 330.250(c)(1)(c). The penal sum of the bond shall be in an amount at least adequate to provide the necessary financial surety.
- 5) Under the terms of the bond, the surety may cancel the bond by sending notice of cancellation by certified mail return receipt requested to the licensee and to the Division Chief. Cancellation shall not occur, however, during the 180 days beginning on the date of receipt of the notice of cancellation by both the licensee and the Division Chief, as evidenced by the return receipt.
- 6) The surety shall not be liable for the deficiency in the

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performance-of-claiming-after-the-Division-Chief-has-determined satisfactory-claiming-has-occurred;

8) Licensee may terminate the bond by sending written notice to the surety provided, however, that no such notice shall become effective until the surety receives written authorization from the Division Chief for the termination of the bond;

b) Personal Bond-Supported by a Letter of Credit--If an applicant or licensee elects to satisfy the surety requirements of Section 330-250(c)(1) by filing his personal performance guarantee accompanied by collateral in the form of an irrevocable standby letter of credit he shall guarantee funds to perform reclaiming in accordance with 32-Adm-Code-340-Appendix A for protection of health and safety and other requirements of the license for the facility. In addition, the irrevocable standby letter of credit supporting this guarantee shall conform to the following requirements:

1) The institution issuing the letter of credit shall be an entity which has the authority to issue letters of credit and whose letter of credit operations are regulated and examined by a Federal or Illinois agency;

2) The wording of the letter of credit shall contain the provisions specified in subsection (a)(2) of Section 330-Appendix H. Additional conditions may be agreed to between the applicant or licensee and the issuing institution so long as no requirement of this Part nor required provision is avoided or altered;

3) The letter of credit shall be accompanied by a letter from the licensee referring to the letter of credit by number, issuing institution, and date and providing the following information: the radioactive material license number(s) and address(es) of the facility(ies) and the amount of funds for each license assured for reclaiming of the facility(ies) by the letter of credit;

4) The letter of credit shall be irrevocable and issued for a period of at least 1 year. The letter of credit shall provide that the expiration date shall be automatically extended for a period of at least 1 year unless at least 180 days before the current expiration date the issuing institution notifies both the licensee and the Division Chief by certified mail of a decision not to extend the expiration date. Under the terms of a letter of credit the 180 days will begin on the date when both the licensee and the Division Chief have received the notice as evidenced by the return receipts;

5) The letter of credit shall be issued in an amount at least adequate to provide the necessary financial surety and The Director may draw on the letter of credit upon forfeiture as provided in Section 330-250(c)(1)(C). The Director may also draw on the letter of credit if the licensee does not establish alternate financial surety as specified in this Part and obtain written approval of such alternate assurance from the Division

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Chief within 90 days after receipt by both the licensee and the Division Chief of a notice from the issuing institution that it has decided not to extend the letter of credit beyond the current expiration date. The Division Chief shall delay the drawing if the issuing institution grants an extension of the term of the credit. During the last 30 days of any extension the Director will draw on the letter of credit if the licensee has failed to provide alternate financial surety as specified in Section 330-250(c)(1) and obtain written approval of such surety from the Division Chief.

c) Personal Bond-Supported by Insurance--If an applicant or licensee elects to satisfy the surety requirements of Section 330-250(c)(1) by filing his personal performance guarantee accompanied by collateral in the form of an insurance policy, he shall guarantee funds sufficient to perform reclaiming in accordance with 32-Adm-Code-340-Appendix A for protection of health and safety and other requirements of the licensee for the facility. In addition, the insurance policy supporting this guarantee shall conform to the following requirements:

1) The insurer shall be licensed to transact the business of insurance or be eligible to provide insurance as an excess or surplus lines insurer;

2) The insurance policy shall be accompanied by a certificate of insurance in which the wording contains the provisions specified in subsection (3) of Section 330-Appendix H. Additional conditions may be agreed to between the applicant or licensee and the insurer so long as no requirement of this Part nor required provision is avoided or altered;

3) The insurance policy shall be for a face amount at least adequate to provide the necessary financial surety. The term face amount means the total amount the insurer is obligated to pay under the policy. Actual payments by the insurer shall not change the face amount although the insurer's future liability shall be lowered by the amount of the payments;

4) The insurance policy shall guarantee that funds will be available for reclaiming the facility whenever reclaiming is necessary as determined by the Division Chief;

5) Upon forfeiture of financial surety as provided in Section 330-250(c)(1)(C), the Director shall direct the insurer to pay the full face amount to the State as specified in Section 330-250(c)(1)(C);

6) The licensee shall maintain the policy in full force and effect until license termination or substitution of alternate financial surety as specified in Section 330-250(c)(1). Failure to pay the premium without substitution of alternate financial surety as specified in Section 330-250(c)(1) shall constitute a violation of this Part. Such violation shall be considered to begin upon receipt by the Division Chief of a notice of future cancellation

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termination or failure to renew due to nonpayment of the premium rather than upon the date of expiration.

- 7) The policy shall provide that the insurer shall not cancel, terminate or fail to renew the policy except for failure to pay the premium. The automatic renewal of the policy shall at a minimum provide the insured with the option of renewal at the face amount of the expiring policy. If there is a failure to pay the premium, the insurer may elect to cancel, terminate or fail to renew the policy by sending notice by certified mail to the licensee and the Division Chief. Cancellation, termination or failure to renew may not occur, however, during the 180 days beginning with the date of receipt of the notice by both the Division Chief and the licensee as evidenced by the return receipts. Cancellation, termination or failure to renew shall not occur and the policy shall remain in full force and effect in the event that on or before the date of expiration:

- A) The Division Chief considers the facility abandoned;
 B) The license is terminated or revoked or renewal is denied;
 C) Closure is ordered by the Director or a court of competent jurisdiction;
 D) The licensee is named as debtor in a voluntary or involuntary proceeding under Title 17, U.S. Code (Bankruptcy) or
 E) The premium due is paid;
 8) Commencing on the date that liability to make payments pursuant to the policy accrues, the insurer will thereafter annually increase the face amount of the policy. Such increase shall be equivalent to the face amount of the policy less any payments made multiplied by an amount equivalent to 85 percent of the most recent investment rate or of the equivalent coupon issue yield announced by the U.S. Treasury for 26-week Treasury securities; and
 9) Any provision of the policy inconsistent with any or all regulations in this Part will be deemed to be amended to eliminate such inconsistency.

- d) Personal Bond Supported by Securities. If an applicant or licensee elects to satisfy the surety requirements of Section 330-350(f)(1) by filing his personal performance guarantee accompanied by collateral in the form of securities, he shall guarantee sufficient funds to perform reclaiming in accordance with 32 Ill. Adm. Code 340-Appendix A for protection of health and safety and other requirements of the licensee(s) for the facility(ies). In addition, the securities supporting this guarantee shall be fully registered as to principal and interest in such manner as to identify the State and the Department as holder of such collateral and also identifying that person filing such collateral. The securities shall be accompanied by a certificate whose wording contains the provisions specified in subsection (4) of Section 330-Appendix H7 identifying the State and

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the Department as holder of such collateral and to also identify that person filing such collateral. These securities shall have a current market value at least adequate to provide the necessary financial surety and shall be included among the following types:

- 1) Negotiable United States Treasury securities assigned irrevocably to the State; or
 2) Negotiable general obligation municipal or corporate bonds which have at least an "A" rating by Moody's and/or Standard and Poor's rating services and which are assigned irrevocably to the State.
 e) Personal Bond Supported by Certificate of Deposit. If an applicant or licensee elects to satisfy the surety requirements of Section 330-250(c)(1) by filing his personal performance guarantee accompanied by a Certificate of Deposit in an amount at least adequate to provide necessary financial surety, the irrevocable certificate of deposit supporting this guarantee shall conform to the following requirements:
 1) The institution issuing the certificate of deposit shall be an entity which has the authority to issue certificates of deposit and whose certificate of deposit operations are regulated and examined by a Federal or State agency;
 2) The certificate of deposit shall be accompanied by a letter from the licensee referring to the certificate of deposit by number issuing institution and date and providing the following information:

- A) The radioactive material license number(s), name(s) and address(es) of the facility(ies) and the amount of funds assured for reclaiming of the facility(ies) by the certificate of deposit. Such certificate of deposit shall also include a statement signed by an officer of the issuing financial institution which waives all rights of lien which the institution has or might have against the certificate. This letter shall contain the applicable provisions specified in subsection (5) of Section 330-Appendix H. Additional provisions may be agreed to between the applicant or licensee and the issuing institution so long as no requirement of this Part or required provision is avoided or altered.

- 3) The certificate of deposit shall be assigned irrevocably to the State and issued for a period of at least 1 year. The certificate of deposit shall provide that the expiration date will be automatically extended for a period of at least 1 year unless at least 180 days before the current expiration date the issuing institution notifies both the licensee and the Division Chief by certified mail of a decision not to extend the expiration date. Under the terms of the certificate of deposit the 180 days will begin on the date when both the licensee and the Division Chief have received the notice as evidenced by the return receipts; and
 4) The Director may draw on the certificate of deposit upon

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forfeiture-as-provided-in-Section-330.250(c)(1)(e)--The-Director
will-also-draw-on-the-certificate-of-deposit-if-the-licsee-does
not-establish-alternate-financial-surety-as-specified-in-this
part-and-obtain-written-approval-of-such-alternate-assurance-from
the-Division-Chief-within-90-days-after-receipt-by-both-the
licsee-and-the-Division-Chief-of-a-notice-from-the-issuing
institution-that-it-has-decided-not-to-extend-the-certificate-of
deposit-beyond-the-current-expiration-date--The-Director-may
delay-the-drawing-if-the-issuing-institution-grants-an-extension
of-the-term-of-the-certificate-of-deposit--During-the-last-30
days-of-any-such-extension-the-Director-will-draw-on-the
certificate-of-deposit-if-the-licsee-has-failed-to-provide
alternate-financial-surety-as-specified-in-this-Part-and-obtain
written-approval-of-such-surety-from-the-Division-Chief.

(Source: Repealed at 24 Ill. Reg. 8042 --, effective
JUN 1 2000)

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Section 330.APPENDIX H Wording of Financial Surety Arrangements (Section
330.250(c)(1)(E)) (Repealed)

1) A-surety-bond-guaranteeing-funds-for-reclaiming-as-specified-in
subsection-(a)-of-Section-330-Appendix-G-shall-contain-the-following
provisions-except-that-the-instructions-in-parentheses-are-to-be
replaced-with-the-relevant-information-and-the-parentheses-deleted.

SURETY-BOND

Date-bond-executed: -----
Effective-date: -----
Principal: (legal-name-and-business-address-of-applicant-or
licsee)

Type-of-organization:--(insert-"individual","joint-venture","
partnership"-or-"corporation")

State-of-incorporation: -----
Surety(ies): (Name(s)-and-business-address(es))

License-Number(s):--name--address--and-reclaiming-cost-for-each
facility-guaranteed-by-this-bond: -----

Total-penal-sum-of-bond: \$-----

Surety's-bond-number: -----

KNOW-ALL-PERSONS-BY-THIS-PRESENTS-that-we--the-Principal--and
Surety(ies)-hereto-are-firmly-bound-to-the-Illinois-Department-of
Nuclear-Safety--1035-Outer-Park-Drive-Springfield-Illinois
62704-(hereinafter-called-Department)-in-the-above-penal-sum
for-the-payment-of-which-we-bind-ourselves-our-heirs-executors
administrators-successors-and-assigns-jointly-and-severally
provided-that-where-the-Surety(ies)-are-corporations-acting-as
co-sureties-we--the-Sureties-bind-ourselves-in-such-sum
"jointly-and-severally" only-for-the-purpose-of-allowing-a-joint
action-or-actions-against-any-or-all-of-us--and-for-all-other
purposes-each-Surety-binds-itself-jointly-and-severally-with-the
Principal-for-the-payment-of-such-sum-only-as-is-set-forth
opposite-the-name-of-such-Surety-but-if-no-limit-of-liability-is
indicated-the-limit-of-liability-shall-be-the-full-amount-of-the
penal-sum.

WHEREAS-said-Principal-is-required-under-the-Radiation
Protection-Act-of-1990-as-amended-to-have-a-license-in-order-to
receive--possess--store--and--use-radioactive-material-at-the

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facility identified above and

WHEREAS said Principal is required to provide financial assurance for reclaiming as a condition of the license;

NOW, THEREFORE, the conditions of this obligation are such that if the Principal shall faithfully perform reclaiming whenever required to do so of each facility for which this bond guarantees funds for reclaiming to the satisfaction of the Director, Illinois Department of Nuclear Safety, in accordance with acceptable practices for protection of health and safety pursuant to all applicable laws, statutes, rules and regulations as such laws, statutes, rules and regulations may be amended;

OR if the Principal shall provide alternate financial assurance as specified in Section 330-250 of the Illinois Code and obtain the written approval of such assurance from the Chief, Division of Radioactive Materials (hereinafter called the Division Chief) within 90 days after the date notice of cancellation is received by both the Principal and the Division Chief from the sureties, then this obligation shall be null and void; otherwise it is to remain in full force and effect.

The Sureties shall become liable on this bond obligation only when the Principal has failed to fulfill the conditions described above.

Upon notification by the Division Chief that the Principal has been found in violation of the reclaiming requirements of the Department for a facility for which this bond guarantees funds for performance of reclaiming, the Sureties shall forfeit the reclaiming cost amount guaranteed for the facility to the Department as directed by the Director.

Upon notification by the Division Chief that the Principal has failed to provide alternate financial assurance as specified in Section 330-250(c)(1)(ii) and obtain written approval of such assurance from the Division Chief during the 30 days following receipt by both the Principal and the Director of a notice of cancellation of the bond, the Sureties shall forfeit funds in the amount guaranteed for the facility to the Department as directed by the Director.

The Sureties hereby waive any notification of amendments to licenses, applicable laws, statutes, rules and regulations and agree that no such amendment shall in any way alleviate its (their) obligation on this bond.

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The liability of the Sureties shall not be discharged by any payment or succession of payments hereunder, unless and until such payment or payments shall amount in the aggregate to the penal sum of the bond, but in no event shall the obligation of the Sureties hereunder exceed the amount of said penal sum.

The Sureties may cancel the bond by sending notice of cancellation by certified mail to the applicant or licensee and to the Division Chief; provided, however, that cancellation shall not occur during the 100 days beginning on the date of receipt of the notice of cancellation by both the Principal and the Division Chief, as evidenced by the return receipts.

The Principal may terminate this bond by sending written notice to the Sureties; provided, however, that no such notice shall become effective until the Sureties receive a written authorization for termination of the bond by the Division Chief.

IN WITNESS WHEREOF, the Principal and Sureties have executed this SURETY BOND and have affixed their seals on the date set forth above:

PRINCIPAL

{Signature(s)}
{Name(s)}
{Title(s)}
Corporate Seal

CORPORATE SURETY(IES)

{Name and address}
State of Incorporation: -----
Liability limit: \$-----

{Signature(s)}
{Name(s)}
{Title(s)}
Corporate Seal

{For every co-surety, provide signature(s), corporate seal and other information in the same manner as for the Surety above.}

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Bond premium: \$-----
2) A letter of credit, as specified in subsection (b) of Section 330-Appendix-6, shall contain the following provisions except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

IRREVOCABLE STANDBY LETTER OF CREDIT

Chief: -----
Date: -----
Division of Radioactive Materials
Illinois Department of Nuclear Safety
Bear Sir or Madam:

We hereby establish our irrevocable Standby Letter of Credit No.----- in your favor at the request and for the account of (applicant's or licensee's name and address) up to the aggregate amount of (in words) U.S. dollars \$-----, available upon presentation of:

A) your sight draft bearing reference to this Letter of Credit No.----- and
B) your signed statement reading as follows: "I certify that the amount of the draft is payable pursuant to regulations issued under authority of the Illinois Radiation Protection Act of 1999, as amended."

This letter of credit is effective as of (date) and shall expire on (date) at least 1 year later, but such expiration date shall be automatically extended for a period of (at least 1 year) on (date) and on each successive expiration date, unless, at least 100 days before the current expiration date, we notify both you and (applicant's or licensee's name) by certified mail that we have decided not to extend this letter of credit beyond the current expiration date. In the event you are so notified, any unused portion of the credit shall be available upon presentation of your sight draft for 100 days after the date of receipt by both you and (licensee's name) as shown on the signed return receipts.

Whenever this letter of credit is drawn on, under and in compliance with the terms of this credit, we shall duly honor such draft upon presentation to us, and we shall forfeit the amount of the draft to the State of Illinois in accordance with your instructions.

(Signature) and (title) of official(s) of issuing institution (Date)

This credit is subject to the most recent edition of the Uniform Customs and Practice for Documentary Credits, published by the International Chamber of Commerce, or the Uniform Commercial Code.

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3) A certificate of insurance, as specified in subsection (b) of Section 330-Appendix-6, shall contain the following provisions except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

CERTIFICATE OF INSURANCE FOR RECLAIMING

Name and Address of Insurer: -----
(herein called the "Insurer")
Name and Address of Insured: -----
(herein called the "Insured")
Facilities covered: (list for each facility: The license Number, name, address and the amount of insurance for reclaiming (these amounts for all facilities covered shall total the face amount shown below)):
Face Amount: -----
Policy Number: -----
Effective Date: -----

The Insurer hereby certifies that it has issued to the insured the policy of insurance identified above to provide financial surety for reclaiming the facilities identified above. The Insurer further warrants that such policy conforms in all respects with the requirements of subsection (c) of Section 330-Appendix-6, as applicable, and as such regulations were constituted on the date shown immediately below. It is agreed that any provision of the policy inconsistent with such regulation is hereby amended to eliminate such inconsistency.

Whenever requested by the Chief, Division of Radioactive Materials, Illinois Department of Nuclear Safety, the Insurer agrees to furnish to the Chief, Division of Radioactive Materials, a duplicate original of the policy listed above, including all endorsements thereon.

(Authorized signature for Insurer)
(Name of person signing)
(Title of person signing)
Signature of witness or notary: -----
(Date)

4) A personal bond supported by securities, as specified in subsection (d) of Section 330-Appendix-6, shall be accompanied by a document which contains the following provisions except that the instructions in parentheses are to be replaced with relevant information and the parentheses deleted:

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ASSIGNMENT-OF-CORPORATE-OR-MUNICIPAL-BOND

Pursuant to 32 Ill. Adm. Code 330.250(c), licensee or applicant's name hereby transfers to Illinois Department of Nuclear Safety bonds of the Corporation or Municipality's name for { } Dollars { } No { } here-with standing in the name of the undersigned on the books of said { } Corporation or Municipality and does hereby agree that such bonds shall be used for purposes of ensuring reclaiming of { } name of facility { } site.

Bated ----- 7-19-----

By -----
(licensee or Applicant)
Signature-Guaranteed
(title)

(Source: Repealed at 24 Ill. Reg. 8042, effective JUN 1 2000)

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ASSIGNMENT-OF-SECURITIES

Pursuant to 32 Ill. Adm. Code 330.250(c), licensee or applicant's name hereby transfers { } Dollars { } in negotiable United States Treasury Securities unto Illinois Department of Nuclear Safety, including interest which thereby accrues represented by Certificate No. { } here-with and does hereby agree that such securities shall be used for { } purposes of { } ensuring { } reclamation of { } name of facility { } site.

5) A certificate of deposit as specified in subsection (e) of Section 330-Appendix G shall contain the following provisions except that instructions in parentheses are to be replaced with the relevant information and the parentheses deleted:

Name and address of Bank

Certificate of Deposit ----- 7-19-----
No: ----- \$-----

{ licensee name and address } has deposited not subject to check { } Dollars { } payable to the order of Illinois Department of Nuclear Safety, Chief Division of Radioactive Materials { } days after notice in writing of intended withdrawal shall have been given to the bank and upon surrender of this certificate property endorsed with interest as herein provided.

This certificate shall be automatically renewed at maturity for successive periods of 1 year each. The bank reserves the right not to renew this certificate at the expiration of any 1 year's period upon mailing to the payee at least 180 days prior to the expiration date a notice of its election not to renew the certificate.

{ Cashier }

Bated ----- 7-19-----

(licensee or Applicant)

Signature-Guaranteed
By: -----
(title)

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- 1) Heading of the Part: Alcoholic Liquor Act
- 2) Code Citation: 86 Ill. Adm. Code 420
- 3) Section Numbers: Adopted Action:
420.80 Amendment
- 4) Statutory Authority: 235 ILCS 5/8-1
- 5) Effective Date of Amendments: May 26, 2000
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3083
- 10) Has JCAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect?
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: The regulations are modified to require that returns in which exemptions are claimed from tax with respect to sales of wine for sacramental purposes need only be accompanied by certifications covering such deliveries, rather than affidavits.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Gina Roccaforte
Associate Counsel
Illinois Department of Revenue
Legal Services Office

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101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-6996

The full text of the adopted amendment begins on the next page:

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TITLE 86: REVENUE

CHAPTER I: DEPARTMENT OF REVENUE

PART 420

ALCOHOLIC LIQUOR ACT

Section

420.10	Gallage Taxes
420.20	Claims to Recover Erroneously Paid Tax
420.30	Shipments of Alcoholic Liquors Out of Illinois
420.40	Non-Beverage Alcoholic Preparations and Compounds
420.50	Non-Beverage Users of Alcoholic Liquors
420.60	Act Does Not Apply
420.70	Tax Provisions of Act Do Not Apply
420.80	Monthly Return
420.90	Books and Records
420.100	Carriers
420.110	Sales to Governmental Bodies
420.120	Warehousing of Liquors
420.130	Non-Beverage User's Books and Records
420.140	Tax-Free Sales of Alcoholic Liquor for Use Aboard Ships Operating in Foreign Commerce Outside the Continental Limits of the United States

AUTHORITY: Implementing and authorized by the Liquor Control Act of 1934 [235 ILCS 5/8-1].

SOURCE: Filed and effective June 17, 1958; codified at 8 Ill. Reg. 17910; amended at 14 Ill. Reg. 18083, effective October 18, 1990; amended at 15 Ill. Reg. 3498, effective February 21, 1991; amended at 24 Ill. Reg. 8098, effective MAY 26 2000.

Section 420.80 Monthly Return

a) Requirement for Filing:

- 1) Each manufacturer and importing distributor of alcoholic liquor must file a return on the form approved and provided by the Department between the 1st and 15th day of each calendar month, covering transactions in alcoholic liquors during the preceding calendar month. Payment of the tax in the amount disclosed by the return shall accompany the return.
- 2) Returns must be sworn to and entries made opposite each item appearing thereon. If there is nothing to report on any particular item the word "None" should be inserted on that line. After a first return has been filed by any manufacturer or importing distributor, a return form will be mailed by the Department on or about the first day of each succeeding month to such manufacturer or importing distributor. However, it is the duty of each manufacturer and importing distributor to obtain

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forms, and failure to receive forms from the Department will not be an excuse for failing to file returns when and as required by the Act.

- 3) Each manufacturer or importing distributor is required to file a return for each month that his license is in full force and effect, irrespective of the fact that he may not have any tax liability to pay for that month.
 - 4) In any case where business is permanently discontinued, or where a stock of alcoholic liquors has been sold in bulk and the taxpayer has gone out of business, such taxpayer should immediately notify the Department of this fact, and upon a proper showing by such taxpayer that his license has been canceled by the Illinois Liquor Control Commission, he will be permitted to discontinue filing monthly returns.
 - 5) In completing the Liquor Revenue Return form, appropriate entries must be made in Item 2-a of the stock account on the return by manufacturers of alcohol and spirits and by first and second class wine-makers. In the case of manufacturers of alcohol and spirits, this item shall include bottled alcoholic liquor produced by such manufacturer in Illinois and bulk alcoholic liquor for which a deduction is being claimed on any schedule accompanying the return. In the case of first and second class wine-making, this item shall include all wine (whether immediately bottled or not) produced by the wine-maker in Illinois. Wineries which are licensed as manufacturers, but not as first or second class wine-makers, do not report anything as manufactured in Item 2-a.
- b) Schedules Accompanying Return of Manufacturer or Importing Distributor of Alcoholic Liquor:
- 1) As part of the monthly return of a manufacturer or importing distributor of alcoholic liquor, and to be completed and filed supplementary thereto in specified instances, the Department requires the completion and filing of the schedules described hereinbelow. The totals of the several columns on each of the schedules must be carried to the corresponding columns and entered on proper lines according to the schedule designation on the Monthly Return Form RU-26.
 - 2) In every instance where a manufacturer or importing distributor is required, by any particular schedule, to make a report of alcoholic liquors manufactured, imported, stored on hand or held in warehouses, purchased or otherwise acquired, sold or otherwise transferred, used, bottled, blended, fortified or rectified by him, he shall, to comply with the provisions of the Act, also include in the appropriate schedule the alcoholic liquors manufactured, imported, stored on hand or held in warehouses, purchased or otherwise acquired, sold or otherwise transferred, used, bottled, blended, fortified or rectified by him as agent for others.

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- A) Schedule "A"--Alcoholic Liquors Imported Into This State. This schedule must be completed and filed monthly by each importing distributor who imports alcoholic liquors into this State. This schedule consists of a detailed itemization of such importations, and the importing distributor must include in it all such importations of alcoholic liquors, regardless of whether the merchandise is imported in bond or out of bond. The mere fact that a warehouse acting as agent for the importing distributor receives the merchandise and issues a warehouse receipt therefor does not relieve the importing distributor from reporting the transaction. All alcoholic liquors imported and stored in public or bonded warehouses, for the account of an importing distributor, must be reported by said importing distributor in this schedule at the time the alcoholic liquors are imported and receipt of the alcoholic liquors for the account of the importing distributor is acknowledged by the warehouse. This information may not be withheld until withdrawals of the alcoholic liquors from the warehouse are made. Items of this nature should be reported on Schedule "A" as importations into Illinois.
- B) Schedule "F"--Alcoholic Liquors Purchased Tax-Free in Illinois. In this schedule, manufacturers of alcohol and spirits report only bottled alcoholic liquors purchased tax-free, including transfers in bond covered by the issuance, transfer or negotiation of warehouse receipts. All other manufacturers and importing distributors, however, must report tax-free purchases of both bottled and bulk alcoholic liquors in this schedule, including transfers in bond covered by the issuance, transfer or negotiation of warehouse receipts. Bottled alcoholic liquors purchased tax-free and stored in public or bonded warehouses for the account of a manufacturer of alcohol and spirits and all alcoholic liquors purchased tax-free and stored in public or bonded warehouses for the account of other manufacturers (such as wineries) and importing distributors, must be reported in this schedule at the time of purchase, and such report may not be withheld until such alcoholic liquors are withdrawn from the warehouse.
- C) Schedule "G"--Alcoholic Liquors Purchased Tax-Paid. This schedule must be completed by manufacturers and importing distributors who purchase tax-paid alcoholic liquors.
- D) Schedule "C"--Tax-Free Sales in Interstate or Foreign Commerce. This schedule must be filed by manufacturers or importing distributors who claim deductions on the monthly return of gallonage of alcoholic liquors sold by them and shipped tax-free in interstate or foreign commerce, or delivered tax-free to ships for use outside the continental

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- limits of the United States in foreign commerce as provided in Section 420.140. Manufacturers and importing distributors must include in Schedule "C" bulk (as well as all other) alcoholic liquors shipped tax-free in interstate or foreign commerce, or delivered tax-free to ships for use outside the continental limits of the United States in foreign commerce as provided in Section 420.140. In the case of the ship stores exemption in connection with foreign commerce, written statements as provided for in Section 420.140 must accompany this schedule.
- i) Each manufacturer who includes tax exempt sales of bulk alcoholic liquor in this schedule must verify that the quantity so sold has been included in his Liquor Revenue Return inventory.
- ii) A separate Schedule "C" must be filed covering shipments into each state.
- E) Schedule "B"--Tax-Free Sales of Alcoholic Liquors to Licensed Manufacturers or Importing Distributors. This schedule must be filed by manufacturers or importing distributors who sell alcoholic liquors tax-free to other licensed manufacturers or importing distributors in Illinois. Each manufacturer, who includes in this schedule tax-free sales of bulk alcoholic liquors, must verify that the quantity so sold has been included in his Liquor Revenue Return inventory. Manufacturers and importing distributors must include in Schedule "B" tax-free sales and transfers of alcoholic liquors in bond, including alcoholic liquors covered by original, transferred or negotiated warehouse receipts.
- F) Schedule "E"--Sales of Alcoholic Liquors for Non-Beverage Purposes Without Payment of Illinois Gallonage Tax. This schedule must be filed by manufacturers and importing distributors who claim deductions on the monthly return for tax-free sales of alcoholic liquors made to holders of non-beverage user's licenses. Original permits or coupons permitting the tax-free purchase of alcoholic liquors for non-beverage purposes must accompany this schedule. This schedule must also be filed by manufacturers and importing distributors who claim deductions on the monthly return for tax-free sales of alcoholic liquors to the United States or to a foreign government, their departments, agencies or instrumentalities, for non-beverage purposes. Written statements, establishing the exempt character of such transactions, must accompany this schedule (see Section 420.110(b)). Each manufacturer, who includes in this schedule sales of bulk alcoholic liquors, must verify that the quantity so sold has been included in his Liquor Revenue Return inventory.

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- G) Schedule "J"--Production and Bottling Loss Record. Enter as this item all losses incurred in bottling alcoholic liquors carried in inventory in the Liquor Revenue Return at the time when such bottling loss occurs. Bottling losses will not be allowed as tax exempt unless accurate records are maintained and deduction is supported by Schedule "J", "Production and Bottling Loss Record." (See Section 420.90(e).)
- H) Other Deductions. Where manufacturers or importing distributors claim deductions on the monthly return for a gallonage of alcoholic liquors that may not be properly allocated to any of the schedules supplied by the Department, a blank sheet of paper may be used and entitled "Other Deductions," and the deductions claimed therein should be explained in detail and filed with the monthly return. Claimed exemptions from the tax will not be allowed at the time of audit unless supported by competent documentary evidence. For example, if alcoholic liquors are dumped for the purpose of destroying the alcoholic liquors, claimed exemption from the tax will not be allowed unless supported by an affidavit of a representative of this Department who witnessed the destruction of the alcoholic liquors. The licensee should retain copy of Form RL-57 or RL-58 witnessed by a representative of the Department. Each manufacturer, who includes in this schedule sales of bulk alcoholic liquors, must verify that the quantity so sold has been included in his Liquor Revenue Return inventory.
- I) Schedule "J"--Purchases of Bulk Alcoholic Liquors, Tax Unpaid, to be Used in Rectification, Bottling or Blending, or For Sale in Original Containers. This schedule must be filed by manufacturers of alcohol and spirits, and will consist of a detailed itemization of all purchases of alcoholic liquors in bulk only, to be used in rectification, bottling or blending, or for sale in original containers, with respect to which the Illinois Alcoholic Liquor Tax has not been paid. All such purchases of bulk alcoholic liquors must be included in this schedule irrespective of the fact that the alcoholic liquors are purchased in bond or imported in bond. The fact that a warehouse, acting as agent for such manufacturer, may receive the alcoholic liquors and issue a warehouse receipt therefor does not relieve the manufacturer from reporting the transaction. All bulk alcoholic liquors purchased tax-free in Illinois or imported into Illinois by a manufacturer of alcohol and spirits and stored in a public or bonded warehouse for his account must be reported in this schedule at the time such alcoholic liquors are purchased by such manufacturer and received by the warehouse, and this information may not be withheld

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- withheld until such alcoholic liquors are withdrawn from the warehouse. This is an information schedule only and is not to be entered on the monthly return.
- J) Returned Merchandise. Alcoholic liquors returned by Illinois licensees to vendors from whom such alcoholic liquors were purchased, and who are located outside of the State of Illinois, must be reported the same as a sale in interstate commerce on Schedule "C".
- i) Alcoholic liquors returned to Illinois licensees by their customers located outside of the State of Illinois must be reported the same as an importation on Schedule "A".
- ii) When untaxed alcoholic liquors are returned to a manufacturer or an importing distributor, both parties being Illinois licensees, the person returning such liquors will report the transaction on Schedule "B", and the one receiving the returned liquors will report on Schedule "F".
- iii) Tax-paid alcoholic liquors returned to an Illinois manufacturer or importing distributor by someone in Illinois need not be scheduled by the person returning such liquors, but the person receiving the returned liquors must report the transaction on Schedule "G", the same as a purchase of tax-paid alcoholic liquor.
- iv) Sacramental Wine. All returns in which exemptions are claimed from the tax with respect to sales of wine for sacramental purposes must be accompanied by certifications affidavits covering each delivery, and statements signed by the minister, priest or rabbi, showing the quantity of wine in each delivery together with a statement to the effect that the wine will be used only for sacramental purposes. (See Section 420.70.)
- c) Statement By Out-of-State Sellers Other Than Illinois Licensed Foreign Importers:
Out-of-State sellers, who are not licensed in Illinois as foreign importers, and who sell, to Illinois licensed importing distributors, beer, wine, or alcohol and spirits, which are located at some place in the United States outside Illinois, and which are shipped or otherwise delivered into Illinois, are required to file with the Department, within 15 days after the end of each month, on forms prescribed and furnished by the Department (Form RL-25), a statement setting forth the names and addresses of the persons in Illinois to whom beer, wine or alcohol and spirits were so sold and shipped or otherwise delivered during the preceding month and the respective quantities so sold and shipped or otherwise delivered.
- d) Information Returns From Illinois Licensed Foreign Importers:
1) The Department has determined it to be necessary, for the proper

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performance of its functions and duties under the Act, to require licensed foreign importers who are not also licensed in Illinois as importing distributors of alcoholic liquor to file a monthly information return with the Department. Such return must be filed by the 15th day of the month following the month for which such return is filed. Such return shall contain such information as the Department may reasonably require.

- 2) It is not necessary for such special foreign importer information return to be filed by any foreign importer who is also licensed in Illinois as an importing distributor of alcoholic liquor.

(Source: Amended at 24 Ill. Reg. 8096, effective MAY 26 2000)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Home Rule County Retailers' Occupation Tax Regulations
- 2) Code Citation: 86 Ill. Adm. Code 220
- 3) Section Numbers: 220.130 Adopted Action: Amendment
- 4) Statutory Authority: 55 ILCS 5/5-1006
- 5) Effective Date of Amendments: May 26, 2000
- 6) Does this rulemaking contain an automatic repeal date? NO
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3108
- 10) Has JCAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: P.A. 90-689 added provisions to the Counties Code at 55 ILCS 5/5-1006 to enable home rule counties to impose, discontinue or change the rate of Home Rule County Retailers' Occupation Taxes twice a year rather than once. This rulemaking brings the regulation for the Home Rule County Retailers' Occupation Tax into conformance with the new statutory provisions.
- 16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Martha Mote
Associate Counsel
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794
(217) 782-6996

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE

CHAPTER I: DEPARTMENT OF REVENUE

PART 220

HOME RULE COUNTY RETAILERS' OCCUPATION TAX

Section

- 220.101 Nature of the Home Rule County Retailer's Occupation Tax
- 220.105 Registration and Returns
- 220.110 Claims to Recover Erroneously Paid Tax
- 220.115 Jurisdictional Questions
- 220.120 Incorporation of Retailers' Occupation Tax Regulations by Reference
- 220.125 Penalties, Interest and Procedures
- 220.130 Effective Date

AUTHORITY: Implementing the Home Rule County Retailers' Occupation Tax Law of the Counties Code [55 ILCS 5/5-1006] and authorized by Section 39b29 of the Civil Administrative Code of Illinois [20 ILCS 2505].

SOURCE: Adopted August 5, 1959; amended at 3 Ill. Reg. 44, p. 185, effective October 19, 1979; codified at 6 Ill. Reg. 9681; amended at 15 Ill. Reg. 5783, effective April 9, 1991; amended at 24 Ill. Reg. 8105 effective MAY 26 2000.

Section 220.130 Effective Date

An ordinance or resolution imposing or discontinuing or effecting a change in the rate of a Home Rule County Retailers' Occupation Tax shall either be adopted and a certified copy thereof filed with the Department on or before the first day of April June, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of July September next following such adoption and filing; or be adopted and a certified copy filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of January next following such adoption and filing. For this purpose, the date of the sale is deemed to be the date of the delivery of the property.

(Source: Amended at 24 Ill. Reg. 8105 - III, effective MAY 26 2000)

DEPARTMENT OF REVENUE
NOTICE OF ADOPTED AMENDMENTS

Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-6996

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF REVENUE
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Home Rule County Service Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 230
- 3) Section Numbers: Adopted Action:
230.130 Amendment
- 4) Statutory Authority: 55 ILCS 5/5-1007
- 5) Effective Date of Amendments: May 26, 2000
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3111
- 10) Has JCAR issued a Statement of Objection to these Amendments? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect?
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: P. A. 90-689 added provisions to the Counties Code at 55 ILCS 5/5-1007 to enable home rule counties to impose, discontinue or change the rate of Home Rule County Service Occupation Taxes twice a year rather than once. This rulemaking brings the regulation for the Home Rule County Service Occupation Tax into conformity with the new statutory provisions.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Martha Mote
Associate Counsel

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE

CHAPTER I: DEPARTMENT OF REVENUE

PART 230

HOME RULE COUNTY SERVICE OCCUPATION TAX

Section

- 230.101 Nature of the Home Rule County Service Occupation Tax
 230.105 Registration and Returns
 230.110 Claims to Recover Erroneously Paid Tax
 230.115 Jurisdictional Questions
 230.120 Incorporation of Service Occupation Tax Regulations by Reference
 230.125 Penalties, Interest and Procedures
 230.130 Effective Date

AUTHORITY: Implementing the Home Rule County Service Occupation Tax Law of the Counties Code [55 ILCS 5/5-1007] and authorized by Section 39b29 of the Civil Administrative Code of Illinois [20 ILCS 2505].

SOURCE: Adopted May 21, 1962; codified at 6 Ill. Reg. 9683; amended at 15 Ill. Reg. 5796, effective April 9, 1991; amended at 24 Ill. Reg. 8108, effective MAY 26 2000.

Section 230.130 Effective Date

An ordinance or resolution imposing or discontinuing or effecting a change in the rate of a Home Rule County Service Occupation Tax shall either: be adopted and a certified copy thereof filed with the Department on or before the first day of April June, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of July September next following such adoption and filing; or be adopted and a certified copy filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of January next following such adoption and filing. For this purpose, the date of the sale of service is deemed to be the date of the delivery, to the user, of the tangible personal property which the serviceman retransfers as an incident to service.

(Source: Amended at 24 Ill. Reg. 8108 - 2, effective MAY 26 2000)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Home Rule Municipal Retailers' Occupation Tax

2) Code Citation: 86 Ill. Adm. Code 270

3) Section Numbers: Adopted Action:
270.130 Amendment

4) Statutory Authority: 65 ILCS 5/8-11-1

5) Effective Date of Amendments: May 26, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3114

10) Has JCAR issued a Statement of Objection to these Amendments? No

11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: P. A. 90-689 added provisions to the Municipal Code at 65 ILCS 5/8-11-1 to enable home rule municipalities to impose, discontinue or change the rate of Home Rule Municipal Retailers' Occupation Taxes twice a year rather than once. This rulemaking brings the regulation for the Home Rule Municipal Retailers' Occupation Tax into conformance with the new statutory provisions.

16) Information and questions regarding this adopted amendment shall be directed to:

Martha Mote
Associate Counsel

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Illinois Department of Revenue
 Legal Services Office
 101 West Jefferson
 Springfield, Illinois 62794
 Phone: (217) 782-6996

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
 CHAPTER I: DEPARTMENT OF REVENUE

PART 270

HOME RULE MUNICIPAL RETAILERS' OCCUPATION TAX

Section

- 270.101 Nature of the Home Rule Municipal Retailers' Occupation Tax
- 270.105 Registration and Returns
- 270.110 Claims to Recover Erroneously Paid Tax
- 270.115 Jurisdictional Questions
- 270.120 Incorporation of Retailers' Occupation Tax Regulations by Reference
- 270.125 Penalties, Interest and Procedures
- 270.130 Effective Date

AUTHORITY: Implementing the Home Rule Municipal Retailers' Occupation Tax Act [65 ILCS 5/8-11-1] and authorized by Section 39b1 of the Civil Administrative Code of Illinois [20 ILCS 2505].

SOURCE: Adopted August 1, 1955; amended at 3 Ill. Reg. 44, p. 189, effective October 19, 1979; amended at 6 Ill. Reg. 2836, 2839 and 2841, effective March 3, 1982; codified at 6 Ill. Reg. 9681; amended at 15 Ill. Reg. 3507, effective February 21, 1991; amended at 24 Ill. Reg. 8111-3, effective MAY 26 2000.

Section 270.130 Effective Date

An ordinance or resolution imposing or discontinuing or effecting a change in the rate of a Home Rule Municipal Retailers' Occupation Tax shall either: be adopted and a certified copy thereof filed with the Department on or before the first day of April June, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of July September next following such adoption and filing; or be adopted and a certified copy filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of January next following such adoption and filing. For this purpose, the date of the sale is deemed to be the date of the delivery of the property. The same rule applies when determining the effective date of an increase in the rate of a Municipal Retailers' Occupation Tax.

(Source: Amended at 24 Ill. Reg. 8111-3, effective MAY 26 2000)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Home Rule Municipal Service Occupation Tax

2) Code Citation: 86 Ill. Adm. Code 280

3) Section Numbers: 280.130
Adopted Action:
Amendment

4) Statutory Authority: 65 ILCS 5/8-11-5

5) Effective Date of Amendments: May 26, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3117

10) Has JCAR issued a Statement of Objections to these Amendments? No

11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect?
No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: P. A. 90-689 added provisions to the Municipal Code at 65 ILCS 5/8-11-5 to enable home rule municipalities to impose, discontinue or change the rate of Home Rule Municipal Service Occupation Taxes twice a year rather than once. This rulemaking brings the regulation for the Home Rule Municipal Service Occupation Tax into conformance with the new statutory provisions.

16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Martha Mote
Associate Counsel
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794
(217) 782-6996

The full text of the adopted amendments begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUEPART 280
HOME RULE MUNICIPAL SERVICE OCCUPATION TAX

Section	
280.101	Nature of the Home Rule Municipal Service Occupation Tax
280.105	Registration and Returns
280.110	Claims to Recover Erroneously Paid Tax
280.115	Jurisdictional Questions
280.120	Incorporation of Service Occupation Tax Regulations by Reference
280.125	Penalties, Interest and Procedures
280.130	Effective Date

AUTHORITY: Implementing the Home Rule Municipal Service Occupation Tax Act [65 ILCS 5/8-11-5] and authorized by Section 39b1 of the Civil Administrative Code of Illinois [20 ILCS 2505].

SOURCE: Adopted May 21, 1962; amended at 6 Ill. Reg. 2845, 2848 and 2850, effective March 3, 1982; codified at 6 Ill. Reg. 9688; amended at 15 Ill. Reg. 6290, effective April 11, 1991; amended at 24 Ill. Reg. 8114, effective MAY 26 2000.

Section 280.130 Effective Date

An ordinance or resolution imposing or effecting a change in the rate of a Home Rule Municipal Service Occupation Tax shall either: be adopted and a certified copy thereof filed with the Department on or before the first day of April June, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of July September next following such adoption and filing; or be adopted and a certified copy filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of January next following such adoption and filing. For this purpose, the date of the sale of service is deemed to be the date of the delivery, to the user, of the tangible personal property which the serviceman retransfers as an incident to service.

(Source: Amended at 24 Ill. Reg. 8114, effective MAY 26 2000)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Home Rule Municipal Use Tax Imposed by Municipalities Having 2,000,000 or More Inhabitants

2) Code Citation: 86 Ill. Adm. Code 295

3) Section Numbers: 295.120
Adopted Action: Amendment

4) Statutory Authority: 65 ILCS 5/8-11-6

5) Effective Date of Amendments: May 26, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3120

10) Has JCAR issued a Statement of Objection to these Amendments? No

11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: P. A. 90-689 added provisions to the Municipal Code at 65 ILCS 5/8-11-6 to enable home rule municipalities to impose, discontinue or change the rate of Home Rule Municipal Use Taxes twice a year rather than once. This rulemaking brings the regulation for the Home Rule Municipal Use Tax into conformance with the new statutory provisions.

16) Information and questions regarding this adopted amendment shall be directed to:

Martha Mote

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Associate Counsel
 Illinois Department of Revenue
 Legal Services Office
 101 West Jefferson
 Springfield, Illinois 62794
 Phone: (217) 782-6996

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
 CHAPTER I: DEPARTMENT OF REVENUE

PART 295

HOME RULE MUNICIPAL USE TAX IMPOSED BY MUNICIPALITIES HAVING 2,000,000 OR MORE INHABITANTS

Section

295.101 Nature and Rate of the Tax

295.105 Items Covered

295.110 Incorporation of Use Tax Regulations by Reference

295.115 Penalties, Interest and Procedures

295.120 Effective Date

AUTHORITY: Implementing the Home Rule Municipal Use Tax Act [65 ILCS 5/8-11-6] and authorized by Section 39b19 of the Civil Administrative Code of Illinois [20 ILCS 2505].

SOURCE: Adopted at 16 Ill. Reg. 7691, effective May 4, 1992; amended at 24 Ill. Reg. 8117, effective MAY 26 2000.

Section 295.120 Effective Date

An ordinance or resolution imposing or discontinuing or effecting a change in the rate of a Home Rule Municipal Use Tax administered by the Illinois Department of Revenue shall either: be adopted and a certified copy filed with the Department on or before the first day of April, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of July next following such adoption and filing; or be adopted and a certified copy filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of January next following such adoption and filing. When a given Home Rule Municipal Use Tax goes into effect, it applies to purchases made on or after the effective date of the Ordinance imposing the tax. For this purpose, the date of the purchase is deemed to be the date of the delivery of the property to the purchaser. The same rule applies when determining the effective date of an increase or decrease in the rate of a Home Rule Municipal Use Tax.

(Source: Amended at 24 Ill. Reg. 8117, effective MAY 26 2000)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Pull Tabs and Jar Games Act
- 2) Code Citation: 86 Ill. Adm. Code 432
- 3) Section Numbers: Adopted Action:
432.160 Amendment
- 4) Statutory Authority: 230 ILCS 20/1
- 5) Effective Date of Amendments: May 26, 2000
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3123
- 10) Has JCAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect?
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: This rulemaking is a result of Public Acts 90-536 and 90-808, which amend the Illinois Pull Tabs and Jar Games Act by increasing prize limits, ticket limits, ticket prices, and prize value limits.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Gina Roccaforet
Associate Counsel
Illinois Department of Revenue
Legal Services Office

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

101 West Jefferson
Springfield, Illinois 62794
(217) 782-6996

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 432

PULL TABS AND JAR GAMES ACT

Section	
432.100	Definitions
432.110	Regular Licenses
432.120	Limited Licenses
432.130	Manufacturer's Licenses
432.140	Supplier's Licenses
432.150	Ineligibility for License
432.160	Restrictions and Limitations on the Sale of Pull Tabs
432.170	Imposition of Tax; Returns
432.180	Records; Audits
432.190	Denial, Suspension, or Revocation of Licenses; Criminal Sanctions
432.200	State - Local Relations

AUTHORITY: Implementing and authorized by the Illinois Pull Tabs and Jar Games Act [230 ILCS 20].

SOURCE: Emergency Rules adopted at 12 Ill. Reg. 11297, effective June 30, 1988, for a maximum of 150 days; emergency expired November 27, 1988; adopted at 13 Ill. Reg. 191, effective January 1, 1989; amended at 14 Ill. Reg. 6399, effective April 16, 1990; amended at 15 Ill. Reg. 10993, effective July 10, 1991; amended at 18 Ill. Reg. 11636, effective July 7, 1994; amended at 24 Ill. Reg. **8120**, effective MAY 26 2000.

Section 432.160 Restrictions and Limitations on the Sale of Pull Tabs

a) Licenses. No person or organization may sell pull tabs or advertise pull tabs for sale in Illinois without having a valid license to do so.

1) Licensed manufacturers may sell pull tabs only to licensed suppliers, licensed suppliers may sell pull tabs only to regular and limited licensees, and regular and limited licensees may sell pull tabs only to the public. A manufacturer or supplier may rely on its customers' representations that they are properly licensed (under the license numbers provided by the customers) unless the manufacturer or supplier has received notification from the Department that a particular person or organization does not have a valid license.

2) Regular and limited licensees may obtain pull tabs only from licensed suppliers. It is the responsibility of regular and limited licensees to ensure that all pull tabs which they obtain are marked with the name of the supplier on each pull tab. Regular and limited licensees are requested to notify the

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Department whenever they receive any printed material advertising the availability of pull tabs if no supplier's license number appears on the material. A supplier's license number will be in the form of the letters "PS" followed by a hyphen and one or more numerals. The notification to the Department, which may consist entirely of a copy of the printed material, should be addressed to the Illinois Department of Revenue, Office of Bingo and Charitable Games, P.O. Box 19480, Springfield, Illinois 62794-9480.

b) Locations. A regular or limited licensee may sell pull tabs only at the locations stated on its license. Pull tabs may be sold only at the following locations:

- 1) On premises owned or occupied by a licensed organization and used by its members for general activities (Section 4(6) of the Act). "Premises" means a distinct parcel of land and the buildings thereon. Premises are "occupied" by an organization when the organization is using the premises for its general activities in accordance with a contractual right to possess the premises on a regular basis;
- 2) On premises owned or rented for conducting bingo (Section 4(6) of the Act). If a licensee rents premises for the purpose of conducting bingo, and does not regularly conduct other activities at other times on such premises, then pull tabs may be sold on such premises only during the licensee's bingo session, which is defined as "the time during which bingo is conducted, including the time during which bingo cards are sold" (86 Ill. Adm. Code 430.100);
- 3) For regular licensees only, at other premises specified in a special permit obtained pursuant to Section 432.110(d).
- 4) A license issued by the Department does not grant an unqualified right to sell pull tabs at a specified location. If premises are owned or controlled by a person or organization other than the licensee, that person or organization may prohibit the licensee from selling pull tabs on the premises. EXAMPLE: The American Legion Post conducts bingo at the Moose Lodge. Although the Post may legally obtain a license to sell pull tabs at the Lodge, the Lodge is not required to allow the Post to sell pull tabs on the Lodge's premises - this would be a matter to be determined by and between the Post and the Lodge.
- 5) A regular or limited license or a special permit shall be prominently displayed in the area where pull tabs are sold. If pull tabs are sold in more than one area on the licensed premises, the license shall be prominently displayed in the area where the greatest volume of sales normally occurs. If pull tabs are sold at multiple premises, the license shall be prominently displayed at the premises where the greatest volume of sales normally occurs, and a sign stating where the license is located shall be prominently displayed on all other premises.

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"Prominently displayed" means that a license or sign is clearly visible and legible to the naked eye. Under no circumstances may any licensee duplicate or reproduce any license issued under the Act.

- c) No person under the age of 18 years shall play or participate in the sale of pull tabs. A person under the age of 18 years may be within the area where pull tabs are sold only when accompanied by his or her parent or guardian (Section 4(5) of the Act).
- d) Only a bona fide member or employee of the regular or limited licensee may participate in the sale of pull tabs. A "bona fide" member is one who has been a member of the licensee for at least 30 days prior to participating in the sale of pull tabs. A "bona fide" employee is one whose principal duties are other than managing or operating pull tabs or jar games. No person may receive any remuneration or compensation for participating in the sale of pull tabs.
- e) Regular and limited licensees must sell pull tabs for the price printed on the tickets, but in no case may pull tabs be sold for more than \$2 one-dollar each. Pull tabs must be sold for cash - no credit may be extended to purchasers. There shall be no more than 6,000 47000 tickets in each game.
- f) No single pull tab prize may exceed \$500 \$250 in cash or merchandise (valued at retail). The aggregate value of all prizes or merchandise awarded in any single day shall not exceed \$5,000 \$2,250, except that in Madison, Monroe, and St. Clair counties the value of all prizes awarded may not exceed \$3,250 in a single day (Section 4(4) of the Act). All winning pull tabs which are redeemed for prizes each day shall be retained by the licensee for a period of 60 days, and shall be segregated from winning pull tabs which are redeemed on other days. Winning pull tabs should be defaced so that they may not be used or redeemed a second time, but defacement must leave the prize amount printed on the ticket legible.
- g) All advertising of pull tabs for sale in Illinois by any licensee under this Act must include the license number and name of the licensee.
- h) The entire net proceeds from the sale of pull tabs must be exclusively devoted to the lawful purposes of the licensee (Section 4(1) of the Act). The net proceeds (gross proceeds less cash returned to winners) must not be commingled with any other funds belonging to the licensee (except interest paid on the deposited proceeds), and must be deposited into the pull tabs checking account established pursuant to Section 432.180(a).
- i) No regular or limited licensee, while pull tabs are being sold, shall knowingly permit entry to any part of the licensed premises to any person who has been convicted of a felony or a violation of Article 28 (gambling) of the Criminal Code of 1961 (Section 6 of the Act).

(Source: Amended at 24 Ill. Reg. 8120, effective 4/1/2000)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Service Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 140
- 3) Section Numbers: Adopted Action: Amendment 140.125
- 4) Statutory Authority: 35 ILCS 115
- 5) Effective Date of Amendments: May 26, 2000
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3311
- 10) Has JCAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: P.A. 91-439 added provisions to the Service Occupation Tax to expand the exemption afforded not-for-profit arts and cultural organizations. This regulation incorporates these changes. Also, the regulations reflect the provisions of P.A. 91-200, which provides an exemption for game birds purchased as specified hunting areas.
- 16) Information and questions regarding this adopted amendment shall be directed to:

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Jerilynn T. Gorden
Senior Counsel, Sales and Excise Tax
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The full text of the adopted amendment begins on the next page:

DEPARTMENT OF REVENUE

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TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 140

SERVICE OCCUPATION TAX

SUBPART A: NATURE OF TAX

Section

140.101 Basis and Rate of the Service Occupation Tax
140.105 Registration of Servicemen
140.110 Presumption that Tax Applies (Repealed)
140.115 Occasional Sales to Servicemen by Suppliers (Repealed)
140.120 Meaning of Serviceman
140.125 Examples of Nontaxability
140.126 Exemption of Food, Drugs and Medical Appliances
140.127 Service Provided to Persons Who Lease Tangible Personal Property to Exempt Hospitals

140.128 Persons Who Lease Tangible Personal Property to Governmental Bodies
140.130 Suppliers of Printers (Repealed)
140.135 Sales of Drugs and Related Items, to or by Pharmacists
140.140 Other Examples of Taxable Transactions
140.145 Multi-Service Situations

SUBPART B: DEFINITIONS

Section

140.201 General Definitions

SUBPART C: BASE OF THE TAX

Section

140.301 Cost Price
140.305 Refunds by Supplier or Serviceman

SUBPART D: TAX RETURNS

Section

140.401 Monthly Returns When Due -- Contents of Returns
140.405 Annual Tax Returns
140.410 Final Return
140.415 Taxpayer's Duty to Obtain Form
140.420 Annual Information Returns by Servicemen
140.425 Filing of Returns for Serviceman "Suppliers" by their Suppliers Under Certain Circumstances
140.430 Incorporation by Reference

SUBPART E: INTERSTATE COMMERCE

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Section
140.501 Sales of Service Involving Property Originating in Illinois
140.505 Sales of Service Involving Property Originating Outside of Illinois
(Repealed)

SUBPART F: REGISTRATION UNDER THE SERVICE OCCUPATION TAX ACT

Section
140.601 General Information

SUBPART G: BOOKS AND RECORDS

Section
140.701 Requirements

SUBPART H: PENALTIES, INTEREST AND PROCEDURES

Section
140.801 General Information

SUBPART I: WHEN OPINIONS FROM THE DEPARTMENT ARE BINDING

Section
140.901 Written Opinions

SUBPART J: COLLECTION OF THE TAX

Section
140.1001 Payment of Tax to the Supplier
140.1005 Receipt to be Obtained for Tax Payments
140.1010 Payment of Tax Directly to the Department
140.1015 Itemization of the Tax by Suppliers
140.1020 Use of Bracket Chart
140.1025 Advertising in Regard to the Tax

SUBPART K: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING -- MEANING OF DUE DATE WHICH FALLS ON SATURDAY, SUNDAY OR A HOLIDAY

Section
140.1101 Filing of Documents with the Department

SUBPART L: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section
140.1201 When Lessee of Premises May File Return for Leased Department
140.1205 When Lessor of Premises Should File Return for Leased Department
140.1210 Meaning of "Lessor" and "Lessee" in this Regulation

SUBPART M: USE OF EXEMPTION CERTIFICATES

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Section
140.1301 When Purpose of Serviceman's Purchase is Known (Repealed)
140.1305 When Purpose of Serviceman's Purchase is Unknown
140.1310 Blanket Percentage Exemption Certificates (Repealed)

SUBPART N: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section
140.1401 Claims for Credit -- Limitations -- Procedure
140.1405 Disposition of Credit Memoranda by Holders Thereof
140.1410 Refunds
140.1415 Interest

SUBPART O: DISCONTINUATION OF A BUSINESS

Section
140.1501 Procedures

SUBPART P: NOTICE OF SALES OF GOODS IN BULK

Section
140.1601 Requirements and Procedures

SUBPART Q: POWER OF ATTORNEY

Section
140.1701 General Information

AUTHORITY: Implementing the Service Occupation Tax Act [35 ILCS 115] and authorized by Section 39b30 of the Civil Administrative Code of Illinois [20 ILCS 2505/39b30].

SOURCE: Adopted May 21, 1962; amended at 3 Ill. Reg. 23, p. 161, effective June 3, 1979; amended at 3 Ill. Reg. 44, p. 198, effective October 19, 1979; amended at 4 Ill. Reg. 24, pp. 526, 536 and 550, effective June 1, 1980; amended at 5 Ill. Reg. 822, effective January 2, 1981; amended at 6 Ill. Reg. 2879, 2883, 2886, 2892, 2895 and 2897, effective March 3, 1982; codified at 6 Ill. Reg. 9326; amended at 9 Ill. Reg. 7941, effective May 14, 1985; amended at 11 Ill. Reg. 14090, effective August 11, 1987; emergency amendment at 12 Ill. Reg. 14419, effective September 1, 1988, for a maximum of 150 days; emergency expired January 29, 1989; amended at 13 Ill. Reg. 9388, effective June 6, 1989; amended at 14 Ill. Reg. 262, effective January 1, 1990; amended at 14 Ill. Reg. 15480, effective September 10, 1990; amended at 15 Ill. Reg. 5834, effective April 5, 1991; amended at 18 Ill. Reg. 1550, effective January 13, 1994; amended at 20 Ill. Reg. 5379, effective March 26, 1996; amended at 20 Ill. Reg. 7008, effective May 7, 1996; amended at 20 Ill. Reg. 16211, effective December 16, 1996; amended at 24 Ill. Reg. 8125, effective

MAY 26 2000

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SUBPART A: NATURE OF TAX

Section 140.125 Examples of Nontaxability

The tax does not apply to:

- a) sales of intangible personal property;
- b) sales of real property;
- c) sales of personal services;
- d) sales of tangible personal property which come within the protection of the Commerce Clause of the Constitution of the United States (see Subpart E of this Part);
- e) purchases of tangible personal property where the serviceman gives a valid exemption certificate to his supplier;
- f) the retail selling of tangible personal property which is taxable under the Retailers' Occupation Tax Act [35 ILCS 120] or the Use Tax Act [35 ILCS 105];
- g) a sale of tangible personal property for the purpose of resale apart from the purchaser's engaging in a service occupation;
- h) sales of tangible personal property as an incident to sales of service:
 - 1) to or by any corporation, society, association, foundation or institution organized and operated exclusively for charitable, religious or educational purposes (Section 2 of the Act);
 - 2) to or by any corporation, society, association, foundation or institution operated primarily for the recreation of persons aged 55 years or older which has no compensated officers or employees;
 - 3) to or by any governmental body (Section 2 of the Act);
 - 4) by any corporation, society association, foundation or institution organized and operated as a not-for-profit service enterprise for the benefit of persons aged 65 years of age or older, only to the extent of purchases of personal property not purchased by the enterprise for the purpose of resale by the enterprise (Section 2 of the Act);
 - 5) to a not-for-profit Illinois county fair association for use in conducting, operating or promoting the county fair (Section 2 of the Act);
 - 6) to any not-for-profit ~~music--or--dramatic~~ arts or cultural organization that ~~it~~ which has received an exemption under Section 501(c)(3) of the Internal Revenue Code and that ~~which~~ is organized and operated for the presentation or support of arts or cultural programming, activities, or services. ~~These organizations include, but are not limited to, music and dramatic arts organizations such as symphony orchestras and theatrical groups, arts and cultural service organizations, local arts councils, visual arts organizations, and media arts organizations of five public performances of musical or theatrical works--on-a regular basis~~ (Section 2 of the Act);
 - 7) In order to qualify for exemption, all the above listed

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- organizations must have been issued an active exemption identification number by the Department;
- i) the sale, employment and transfer of such tangible personal property as newsprint and ink for physical incorporation into newspapers or magazines;
 - j) the incorporation of tangible personal property into real estate by a construction contractor, which activity constitutes a taxable "use" under the Retailers' Occupation Tax Act and the Use Tax Act, rather than the carrying on of a service occupation;
 - k) the sale, employment and transfer, as an incident to a sale of service, of such tangible personal property as pollution control facilities and low sulphur dioxide coal fueled devices;
 - l) sales of stock tonics, serums and other medicinal products to veterinarians for retransfer as an incident to service in caring for farm animals;
 - m) sales of sprays and farm chemicals as an incident to service by persons engaged in the service occupation of spraying crops or applying farm chemicals for others;
 - n) sale of either new or used farm machinery, equipment or replacement parts transferred as an incident to a sale of service for use in production agriculture or for use in state or federal agricultural programs;
 - o) a sale or transfer of machinery and equipment used primarily in the process of manufacturing or assembling, either in an existing, an expanded or a new manufacturing facility, of tangible personal property for wholesale or retail sale or lease, whether such sale or lease is made directly by the manufacturer or by some other person, whether the materials used in the process are owned by the manufacturer or some other person, or whether such sale or lease is made apart from or as an incident to the seller's engaging in the service occupation of producing machines, tools, dies, jigs, patterns, gauges or similar items of no commercial value on special order for a particular purchaser, when the machinery or equipment is produced by the seller thereof for the manufacturer or the manufacturer's lessor on special order in such a way as to have made the applicable tax a service occupation tax or service use tax, rather than retailers' occupation tax or use tax. (Section 2 of the Act) The transfer of standard or stock parts in the repair of qualifying exempt manufacturing machinery and equipment is not exempt;
 - p) a sale or transfer of graphic arts machinery and equipment, including repair and replacement parts used primarily for graphic arts production by means of printing or other processes or defined in Major Group 27 of the U.S. Standard Industrial Classification Manual (Section 2 of the Act);
 - q) sales of oil field exploration, drilling and production equipment and individual replacement parts costing the purchaser \$250 or more;
 - r) sales of coal exploration, mining, off highway hauling, processing, maintenance and reclamation equipment and repair parts costing the

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- purchaser \$250 or more;
- s) a sale or transfer of tangible personal property as an incident to the rendering of service for interstate carriers for hire for use as rolling stock moving in interstate commerce or lessors under leases of one year or longer, executed or in effect at the time of purchase, to interstate carriers for hire for use as rolling stock moving in interstate commerce (Section 2 of the Act);
- t) a sale or transfer of tangible personal property as an incident to the rendering of service for owners, lessors or shippers of tangible personal property which is utilized by interstate carriers for hire for use as rolling stock moving in interstate commerce (Section 2 of the Act);
- u) the sale or transfer of distillation machinery and equipment, sold as a unit or kit and assembled or installed by the retailer, which machinery and equipment is certified by the user to be used only for the production of ethyl alcohol that will be used for consumption as motor fuel or as a component of motor fuel for the personal use of such user and not subject to sale or resale (Section 2 of the Act);
- v) sales by teacher-sponsored student organizations affiliated with Illinois elementary and secondary schools;
- w) sales of legal tender, currency, medallions, or gold or silver coinage issued by the State of Illinois, the government of the United States or any foreign country and bullion, which shall mean gold, silver or platinum in a bulk state with a purity of not less than 980 parts per 1,000. In no circumstance shall items sold as jewelry or mounted for wear as jewelry qualify for this exemption.
- x) sales of modified or custom software are exempt. Sales of canned software in a service transaction would be subject to tax; Computer software means all types of software including operational, applicational, utilities, compilers, templates, shells and all other forms. Software is considered to be tangible personal property regardless of the form in which it is transferred or transmitted, including tape, disc, card, electronic means or other media. The sale at retail or transfer of canned software intended for general or repeated use is taxable, including the sale of software which is subject to manufacturer licenses restricting the use or reproduction of the software. Tax applies to the entire charge made to the customer, including charges for all associated documentation and materials. Charges for updates and maintenance of software are considered to be sales of software. Charges for training, telephone assistance, installation and consultation are exempt if they are separately stated from the selling price of software;
- y) sales of semen used for artificial insemination of livestock for direct agricultural production. Exemption certifications must be executed by the purchaser. The certificate must include the seller's name and address, the purchaser's name and address, the purchaser's registration number with the Department, the purchaser's signature and date of signing, and a statement that the semen purchased will be used

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- for artificial insemination of livestock for direct agricultural production. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit;
- z) beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, sales of personal property that is donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois by a manufacturer or retailer that is registered in this State to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area. Exemption certifications must be executed by the purchaser. The certificate must include the seller's name and address, the purchaser's name and address, the purchaser's registration number with the Department, if applicable, the purchaser's signature and date of signing, a description of the items being purchased for donation, and a statement that the property purchased will be donated for disaster relief to be used in a State or federally declared disaster area in Illinois or bordering Illinois to a corporation, society, association, foundation, or institution that has been issued a sales tax exemption identification number by the Department that assists victims of the disaster who reside within the declared disaster area. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit;
- aa) beginning with taxable years ending on or after December 31, 1995 and ending with taxable years ending on or before December 31, 2004, sales of personal property that is used in the performance of infrastructure repairs in this State, including but not limited to municipal roads and streets, access roads, bridges, sidewalks, waste disposal systems, water and sewer line extensions, water distribution and purification facilities, storm water drainage and retention facilities, and sewage treatment facilities, resulting from a State or federally declared disaster in Illinois or bordering Illinois when such repairs are initiated on facilities located in the declared disaster area within six months after the disaster. Exemption certifications must be executed by the purchaser. The certificate must include the seller's name and address, the purchaser's name and address, the purchaser's registration number with the Department, if applicable, the purchaser's signature and date of signing, a description of the items being purchased, and a statement that the property purchased is for use in the performance of infrastructure repairs initiated on facilities located in the declared disaster area within six months after the disaster in this State resulting from a State or federally declared disaster area in Illinois or bordering Illinois. The certificates shall be retained by the retailer and shall be made available to the Department for inspection or audit;

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bb) beginning July 20, 1999, game or game birds purchased incident to a sale of service at:

- 1) a game breeding and hunting preserve area licensed by the Department of Natural Resources (see Section 3.27 of the Wildlife Code [520 ILCS 5/3.27]);
- 2) an exotic game hunting area licensed by the Department of Natural Resources (see Section 3.34 of the Wildlife Code [520 ILCS 5/3.34]), or
- 3) a hunting enclosure approved through rules adopted by the Department of Natural Resources.

(Source: Amended at 24 Ill. Reg. **0125 - 7** effective MAY 26 2000)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Service Use Tax
- 2) Code Citation: 86 Ill. Adm. Code 160
- 3) Section Numbers: Adopted Action:
160.110 Amendment
- 4) Statutory Authority: 35 ILCS 2505
- 5) Effective Date of Amendments: May 26, 2000
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3321
- 10) Has JCAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect?
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: This rulemaking describes the exemptions from Service Use Tax created by Public Act 91-200, effective July 20, 1999 (exempts the use of game or game birds purchased at a game breeding and hunting preserve area, exotic game hunting area, or at a hunting enclosure) and Public Act 91-439, effective August 6, 1999 (exempts the use of fuel in this State that was acquired outside of this State and brought into this State in the fuel supply tanks of locomotives engaged in freight hauling and passenger service for interstate commerce).
- 16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Terry D. Charlton
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The full text of the adopted amendments begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 160
SERVICE USE TAX

Section	
160.101	Nature of the Tax
160.105	Definitions
160.110	Kinds of Uses And Users Not Taxed
160.115	Collection Of The Service Use Tax By Servicemen
160.116	Persons Who Lease Tangible Personal Property to Exempt Hospitals
160.117	Persons Who Lease Tangible Personal Property to Governmental Bodies
160.120	Receipt For The Tax
160.125	Special Information For Taxable Users
160.130	Registration Of Servicemen
160.135	Serviceman's Return
160.140	Penalties, Interest And Procedures
160.145	Incorporation Of Illinois Service Occupation Tax Regulations By Reference
160.150	Claims To Recover Erroneously Paid Tax--Limitations--Procedures
160.155	Disposition Of Credit Memoranda By Holders Thereof
160.160	Refunds
160.165	Interest

AUTHORITY: Implementing the Service Use Tax Act [35 ILCS 110] and authorized by Section 39b30 of the Civil Administrative Code of Illinois [20 ILCS 2505/39b30].

SOURCE: Adopted May 21, 1962; codified at 6 Ill. Reg. 9326; amended at 8 Ill. Reg. 8619, effective June 5, 1984; amended at 11 Ill. Reg. 5322, effective March 17, 1987; amended at 11 Ill. Reg. 9963, effective May 8, 1987; amended at 13 Ill. Reg. 9399, effective June 6, 1989; amended at 15 Ill. Reg. 5845, effective April 5, 1991; amended at 18 Ill. Reg. 1557, effective January 13, 1994; amended at 20 Ill. Reg. 7015, effective May 7, 1996; amended at 20 Ill. Reg. 16219, effective December 16, 1996; amended at 24 Ill. Reg. 8135, effective MAY 26, 2000.

Section 160.110 Kinds of Uses And Users Not Taxed

- a) To prevent actual or likely multistate taxation, the tax shall not apply to the use of tangible personal property in this State under the following circumstances:
- 1) The use, in this State, of property acquired outside this State by a nonresident individual and brought into this State by such individual for his or her own use while temporarily within this State or while passing through this State;
 - 2) the use, in this State, of property which is acquired outside

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this State and caused to be brought into this State by a person who has already paid a tax in another state in respect to the sale, purchase or use of such property, to the extent of the amount of such tax properly due and paid in such other state;

3) the temporary storage, in this State, of property which is acquired outside this State and which, subsequent to being brought into this State and stored here temporarily, is used solely outside this State or is physically attached to or incorporated into other property that is used solely outside this State, or is altered by converting, fabricating, manufacturing, printing, processing or shaping, and, as altered, is used solely outside this State.

b) Since the exemptions in subsections (a)(1), (2) and (3), immediately above, do not exist as far as the Service Occupation Tax is concerned, and since it would therefore serve no purpose to say that the exemptions exist for Service Use Tax purposes insofar as the serviceman is merely collecting Service Use Tax to reimburse himself for Service Occupation Tax on the same property, the Department believes that the legislative intention in these references to the acquisition of tangible personal property outside this State was to make the references apply to cases in which the only tax liability that could be involved is Service Use Tax liability. Therefore, the exemptions in subsections (a)(1), (2) and (3) above would not apply except when the tangible personal property is acquired outside Illinois by the purchaser in such a way that there is no Service Occupation Tax liability on the part of the serviceman in the same transaction.

c) The Service Use Tax does not apply to the use, in this State, of property which is acquired outside this State by a nonresident individual who then brings the property to this State for use here, and who shall have used the property outside this State for at least 3 months before bringing the property to this State.

d) Where a business that is not operated in Illinois, but which does operate in another state, is moved to Illinois or opens up an office, plant or other business facility in Illinois, such business shall not be taxed on its use, in Illinois, of used property which such business bought outside Illinois and used outside Illinois in the operation of such business for at least 3 months before moving such used property to Illinois for use here.

e) The Service Use Tax does not apply to the use of tangible personal property by any corporation, society, association, foundation or institution, organized and operated exclusively for charitable, religious or educational purposes, or by any not-for-profit corporation, society, association, foundation, institution or organization which has no compensated officers and employees and which is organized and operated primarily for the recreation of persons 55 years of age or older, when purchased from a serviceman as an incident to a sale of service. However, effective July 1, 1987, the Service

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Use Tax will apply to the entities noted above unless such entities have an active exemption identification number issued by the Department. Effective March 17, 1965, purchases by State chartered banks and by Federal and State savings and loan associations for use, when the purchase is made from a serviceman as an incident to his sale of service, are subject to the Service Use Tax. Effective February 1, 1970, purchases by national banks for use, when the purchase is made from a serviceman as an incident to his sale of service, are also subject to the Service Use Tax, provided that such tax does not apply to property which is the subject matter of a written contract of purchase entered into by a national bank prior to September 1, 1969.

f) Beginning July 1, 1999, the Service Use Tax does not apply to the use, in this State, of game or game birds purchased incident to a sale of service at:

1) a game breeding and hunting preserve area licensed by the Department of Natural Resources (see Section 3.27 of the Wildlife Code [520 ILCS 5/3.27]);

2) an exotic game hunting area licensed by the Department of Natural Resources (see Section 3.34 of the Wildlife Code [520 ILCS 5/3.34]), or

3) a hunting enclosure approved through rules adopted by the Department of Natural Resources.

g) Beginning July 1, 1999, the Service Use Tax does not apply to the use, in this State, of fuel acquired outside of this State and brought into this State in the fuel supply tanks of locomotives engaged in freight hauling and passenger service for interstate commerce.

(Source: Amended at 24 Ill. Reg. 8135, effective MAY 26 2000)

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NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Special County Retailers' Occupation Tax For Public Safety
- 2) Code Citation: 86 Ill. Adm. Code 670
- 3) Section Numbers: Adopted Action:
670.130 Amendment
- 4) Statutory Authority: 55 ILCS 5-1006.5
- 5) Effective Date of Amendments: May 26, 2000
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3326
- 10) Has JCAR issued a Statement of Objections to these Amendments? No
- 11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect?
No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: P.A. 90-689 added provisions to the Counties Code at 55 ILCS 5/5-1006.5 to enable counties to impose, discontinue or change the rate of Special County Retailers' Occupation Taxes For Public Safety twice a year rather than once. This rulemaking brings the regulation for the Special County Retailers' Occupation Tax For Public Safety into conformance with the new statutory provisions.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Martha Mote

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Associate Counsel
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Springfield, Illinois 62794
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The full text of the adopted amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 670

SPECIAL COUNTY RETAILERS' OCCUPATION TAX FOR PUBLIC SAFETY

Section

- 670.101 Nature of the Special County Retailers' Occupation Tax For Public Safety
- 670.105 Registration and Returns
- 670.110 Claims to Recover Erroneously Paid Tax
- 670.115 Jurisdictional Questions
- 670.120 Incorporation of Retailers' Occupation Tax Regulations by Reference
- 670.125 Penalties, Interest and Procedures
- 670.130 Effective Date

AUTHORITY: Implementing Section 5-1006.5 of the Special County Occupation Tax For Public Safety Law of the Counties Code [55 ILCS 5/5-1006.5] and authorized by Section 39b29 of the Civil Administrative Code of Illinois [20 ILCS 2505/39b29].

SOURCE: Adopted at 20 Ill. Reg. 13065, effective September 24, 1996; amended at 22 Ill. Reg. 14926, effective August 3, 1998; amended at 24 Ill. Reg. 8140, effective MAY 26 2000.

Section 670.130 Effective Date

If a county imposes a tax under the Special County Occupation Tax For Public Safety Law (Law), the county board may, by ordinance, discontinue or lower the rate of the tax. If the county board has lowered the tax rate or discontinued the tax, a referendum must be held in accordance with Section 5-1006.5 of the Law, and the referendum must pass, prior to subsequent increases of the rate or reimposition of the tax in order to increase the rate of the tax or to reimpose the discontinued tax. An ordinance or resolution imposing or discontinuing or effecting a change in the rate of a tax imposed under the Law shall either: be adopted and a certified copy thereof filed with the Department on or before the first day of April June, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of July January next following such adoption and filing; or be adopted and a certified copy filed with the Department on or before the first day of April June, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of January next following such adoption and filing. For this purpose, the date of the sale is deemed to be the date of the delivery of the property.

(Source: Amended at 24 Ill. Reg. 8140, effective MAY 26 2000.)

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Special County Service Occupation Tax For Public Safety

2) Code Citation: 86 Ill. Adm. Code 680

3) Section Numbers: 680.130
Adopted Action: Amendment

4) Statutory Authority: 55 ILCS 5-1006.5

5) Effective Date of Amendments: May 26, 2000

6) Does this rulemaking contain an automatic repeal date? No

7) Does this amendment contain incorporations by reference? No

8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: February 25, 2000, 24 Ill. Reg. 3329

10) Has JCAR issued a Statement of Objections to these Amendments? No

11) Differences between proposal and final version: The only changes made were the ones agreed upon with JCAR. The changes made were grammar and punctuation or technical. No substantive changes were made.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will this amendment replace an emergency amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Amendments: P.A. 90-689 added provisions to the Counties Code at 55 ILCS 5/5-1006.5 to enable counties to impose, discontinue or change the rate of Special County Service Occupation Taxes For Public Safety twice a year rather than once. This rulemaking brings the regulation for the Special County Service Occupation Tax For Public Safety into conformance with the new statutory provisions.

16) Information and questions regarding this adopted amendment shall be directed to:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

Martha Mote
Associate Counsel
Illinois Department of Revenue
Legal Services Office
101 West Jefferson
Springfield, Illinois 62794
(217) 782-6996

The full text of the adopted amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF ADOPTED AMENDMENTS

TITLE 86: REVENUE
CHAPTER I: DEPARTMENT OF REVENUE

PART 680

SPECIAL COUNTY SERVICE OCCUPATION TAX FOR PUBLIC SAFETY

Section	
680.101	Nature of the Special County Service Occupation Tax For Public Safety
680.105	Registration and Returns
680.110	Claims to Recover Erroneously Paid Tax
680.115	Jurisdictional Questions
680.120	Incorporation of Service Occupation Tax Regulations by Reference
680.125	Penalties, Interest and Procedures
680.130	Effective Date

AUTHORITY: Implementing Section 5-1006.5 of the Special County Occupation Tax For Public Safety Law of the Counties Code [55 ILCS 5/5-1006.5] and authorized by Section 39b29 of the Civil Administrative Code of Illinois [20 ILCS 2505/39b29].

SOURCE: Adopted at 20 Ill. Reg. 13073, effective September 24, 1996; amended at 22 Ill. Reg. 14930, effective August 3, 1998; amended at 24 Ill. Reg.

8143, effective MAY 26 2000.

Section 680.130 Effective Date

If a county imposes a tax under the Special County Occupation Tax For Public Safety Law (Law), the county board may, by ordinance, discontinue or lower the rate of the tax. If the county board has lowered the tax rate or discontinued the tax, a referendum must be held in accordance with Section 5-1006.5 of the Law, and the referendum must pass, prior to subsequent increases of the rate or reimposition of the tax in order to increase the rate of the tax or to reimpose the discontinued tax. An ordinance or resolution imposing or discontinuing or effecting a change in the rate of a tax imposed under the Law shall either: be adopted and a certified copy thereof filed with the Department on or before the first day of April ~~June~~, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of July ~~January~~ next following such adoption and filing; or be adopted and a certified copy filed with the Department on or before the first day of October, whereupon the Department shall proceed to administer and enforce the ordinance or resolution as of the first day of January next following such adoption and filing. For this purpose, the date of the sale of service is deemed to be the date of the delivery, to the user, of the tangible personal property which the serviceman retransfers as an incident to service.

(Source: Amended at 24 Ill. Reg. **8143**, effective MAY 26 2000)

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Pursuant to 35 Ill. Adm. Code 302.Subpart F, the following water quality criteria have been derived as listed. This listing includes only the waterbodies for which water quality criteria have been used during the period February 1, 2000 through April 30, 2000.

A cumulative listing of criteria as of July 31, 1993 was published in 17 Ill. Reg. 18904, October 29, 1993. Listings of waterbodies for which water quality criteria were used during subsequent three month periods were published in 18 Ill. Reg. 318, January 7, 1994; 18 Ill. Reg. 4457, March 18, 1994; 18 Ill. Reg. 8734, June 10, 1994; 18 Ill. Reg. 14166, September 9, 1994; 18 Ill. Reg. 17770, December 9, 1994; 19 Ill. Reg. 3563, March 17, 1995; 19 Ill. Reg. 7270, May 26, 1995; 19 Ill. Reg. 12527, September 1, 1995; 20 Ill. Reg. 649, January 5, 1996; 20 Ill. Reg. 4829, March 22, 1996; 20 Ill. Reg. 7549, May 30, 1996; 20 Ill. Reg. 12278, September 6, 1996; 20 Ill. Reg. 15619, December 6, 1996; 21 Ill. Reg. 3761, March 21, 1997; 21 Ill. Reg. 7554, June 13, 1997; 21 Ill. Reg. 12695, September 12, 1997; 21 Ill. Reg. 16193, December 12, 1997; 22 Ill. Reg. 5131, March 13, 1998; 22 Ill. Reg. 10689, June 12, 1998; 22 Ill. Reg. 16376, September 11, 1998; 22 Ill. Reg. 22423, December 28, 1998; 23 Ill. Reg. 3102, March 12, 1999; 23 Ill. Reg. 6979, June 11, 1999; 23 Ill. Reg. 11774, September 24, 1999; 23 Ill. Reg. 14772, December 27, 1999; and 24 Ill. Reg. 4251, March 17, 2000.

Chemical: Acenaphthene

Acute criterion: 124 ug/l

Date criteria derived: November 14, 1991

Applicable waterbodies:

Not used during this period.

Chemical: Acetone

Acute criterion: 1,530 mg/l

Date criteria derived: May 25, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Acetonitrile

Acute criterion: 375 mg/l

Date criteria derived: December 7, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Acrylonitrile

Acute criterion: 910 ug/l

Human health criterion (HNC): 0.21 ug/l

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived: November 13, 1991

Applicable waterbodies:

Not used during this period.

Chemical: Anthracene

Human health criterion (HTC): 35 mg/l

Date criteria derived: August 18, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzene

Acute criterion: 1,300 ug/l

Human health criterion (HNC): 21 ug/l

Date criteria derived: August 15,

1990, revised January 14, 1999

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(a)anthracene

Human health criterion (HNC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(a)pyrene

Human health criterion (HNC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(b)fluoranthene

Human health criterion (HNC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

Not used during this period.

Chemical: Benzo(k)fluoranthene

Human health criterion (HNC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

CAS #120-12-7

CAS #71-43-2

Chronic criterion: 110 ug/l

CAS #56-55-3

CAS #50-32-8

CAS # 205-99-2

CAS #207-08-9

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Not used during this period.

Chemical: Carbon tetrachloride

Acute criterion: 3,500 ug/l

Human health criterion (HNC): 1.4 ug/l

Date criteria derived: June 18, 1993

Applicable waterbodies:

CAS #56-23-5
Chronic criterion: 280 ug/l

Not used during this period.

Chemical: Chlorobenzene

Acute criterion: 993 ug/l

Date criteria derived: December 11, 1991

Applicable waterbodies:

CAS #108-90-7
Chronic criterion: 79 ug/l

Not used during this period.

Chemical: Chloroform

Acute criterion: 1,870 ug/l

Human health criterion (HNC): 130 ug/l

Date criteria derived: October 26, 1992

Applicable waterbodies:

CAS #67-66-3
Chronic criterion: 150 ug/l

Not used during this period.

Chemical: Chrysene

Human health criterion (HNC): 0.01 ug/l

Date criteria derived: August 10, 1993

Applicable waterbodies:

CAS #218-01-9

Not used during this period.

Chemical: 1,2-dichlorobenzene

Acute criterion: 210 ug/l

Date criteria derived: December 1, 1993

Applicable waterbodies:

CAS #95-50-1
Chronic criterion: 16.8 ug/l

Not used during this period.

Chemical: 1,3-dichlorobenzene

Acute criterion: 500 ug/l

Date criteria derived: July 31, 1991

Applicable waterbodies:

CAS #541-73-1
Chronic criterion: 196 ug/l

Not used during this period.

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: 1,2-dichloroethane

Acute criterion: 24,900 ug/l

Human health criterion (HNC): 23 ug/l

Date criteria derived: March 19, 1992

Applicable waterbodies:

CAS #107-06-2
Chronic criterion: 4,540 ug/l

Not used during this period.

Chemical: 1,1-dichloroethylene

Acute criterion: 3,030 ug/l

Human health criterion (HNC): 0.95 ug/l

Date criteria derived: March 20, 1992

Applicable waterbodies:

CAS #75-35-4
Chronic criterion: 242 ug/l

Not used during this period.

Chemical: 2,4-dichlorophenol

Acute criterion: 631 ug/l

Date criteria derived: November 14, 1991

Applicable waterbodies:

CAS #120-83-2
Chronic criterion: 83.1 ug/l

Not used during this period.

Chemical: 1,2-dichloropropane

Acute criterion: 4,800 ug/l

Date criteria derived: December 7, 1993

Applicable waterbodies:

CAS #78-87-5
Chronic criterion: 380 ug/l

Not used during this period.

Chemical: 1,3-dichloropropylene

Acute criterion: 99 ug/l

Date criteria derived: November 13, 1991

Applicable waterbodies:

CAS #542-75-6
Chronic criterion: 7.9 ug/l

Not used during this period.

Chemical: 2,4-dimethyl phenol

Acute criterion: 740 ug/l

Date criteria derived: October 26, 1992

Applicable waterbodies:

CAS #105-67-9
Chronic criterion: 220 ug/l

Not used during this period.

Chemical: 4,6-dinitro-o-cresol =

CAS #534-52-1

ENVIRONMENTAL PROTECTION AGENCY
NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

2-methyl-4,6-dinitrophenol
Acute criterion: 28.8 ug/l
Date criteria derived: November 14, 1991
Applicable waterbodies:
Not used during this period.

Chemical: 2,4-dinitrophenol
Acute criterion: 85.3 ug/l
Date criteria derived: December 1, 1993
Applicable waterbodies:
Not used during this period.

Chemical: 2,6-dinitrotoluene
Acute criterion: 1,910 ug/l
Date criteria derived: February 14, 1992
Applicable waterbodies:
Not used during this period.

Chemical: Diquat
Acute criterion: 1,330 ug/l
Date criteria derived: January 30, 1996
Applicable waterbodies:
Not used during this period.

Chemical: Ethylbenzene
Acute criterion: 220 ug/l
Date criteria derived: August 15, 1990,
revised May 17, 1991
Applicable waterbodies:
07090005-0054/off Kent Creek
07120004-0010/off DesPlaines River
07120004-0033/off Willow Creek
07130003-0018/off Illinois River

Chemical: Fluoranthene
Human health criterion (HHC): 120 ug/l
Date criteria derived: August 10, 1993
Applicable waterbodies:
Not used during this period.

Chronic Criterion: 2.3 ug/l

CAS #51-28-5
Chronic criterion: 4.07 ug/l

CAS #606-20-2
Chronic criterion: 153 ug/l

CAS #85-00-7
Chronic criterion: 106 ug/l

CAS #100-41-4
Chronic criterion: 17 ug/l

CAS #206-44-0

ENVIRONMENTAL PROTECTION AGENCY
NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Chemical: Hexachlorobenzene
Human health criterion (HHC): 0.00025 ug/l
Date criteria derived: November 15, 1991
Applicable waterbodies:
Not used during this period.

Chemical: Hexachlorobutadiene
Acute criterion: 34.5 ug/l
Date criteria derived: March 23, 1992
Applicable waterbodies:
Not used during this period.

Chemical: Hexachloroethane
Acute criterion: 381 ug/l
Human health criterion (HHC): 2.9 ug/l
Date criteria derived: November 15, 1991
Applicable waterbodies:
Not used during this period.

Chemical: Isobutyl alcohol =
2-methyl-1-propanol
Date criteria derived: December 1, 1993
Applicable waterbodies:
Not used during this period.

Chemical: Methylene chloride
Acute criterion: 17,200 ug/l
Human health criterion (HHC): 340 ug/l
Date criteria derived: January 21, 1992
Applicable waterbodies:
Not used during this period.

Chemical: Methyleneethyleketone
Acute criterion: 322,000 ug/l
Date criteria derived: July 1, 1992
Applicable waterbodies:
Not used during this period.

Chemical: 4-methyl-2-pentanone
Acute criterion: 46 mg/l
Chronic criterion: 3.68 mg/l

CAS #118-74-1
Chronic criterion: 2.76 ug/l

CAS #87-68-3
Chronic criterion: 2.76 ug/l

CAS #67-72-1
Chronic criterion: 30.5 ug/l

CAS #78-83-1
Chronic criterion: 34.8 mg/l

CAS #75-09-2
Chronic criterion: 1,380 ug/l

CAS #78-93-3
Chronic criterion: 26,000 ug/l

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Date criteria derived: January 13, 1992
Applicable waterbodies:

Not used during this period.

Chemical: 2-methyl phenol
Acute criterion: 4.7 mg/l
Date criteria derived: November 8, 1993
Applicable waterbodies:

CAS #95-48-7
Chronic criterion: 0.37 mg/l

Not used during this period.

Chemical: 4-methyl phenol
Acute criterion: 670 mg/l
Date criteria derived: January 13, 1992
Applicable waterbodies:

CAS #106-44-5
Chronic criterion: 120 mg/l

Not used during this period.

Chemical: Naphthalene
Acute criterion: 670 ug/l
Date criteria derived: November 7, 1991
Applicable waterbodies:

CAS #91-20-3
Chronic criterion: 68 ug/l

Not used during this period.

Chemical: 4-nitroaniline
Acute criterion: 1.5 mg/l
Date criteria derived: May 5, 1996
Applicable waterbodies:

CAS #100-01-6
Chronic criterion: 0.12 mg/l

Not used during this period.

Chemical: Nitrobenzene
Acute criterion: 15.4 mg/l
Human health criterion (HTC): 0.52 mg/l
Date criteria derived: February 14, 1992
Applicable waterbodies:

CAS #98-95-3
Chronic criterion: 4.67 mg/l

Not used during this period.

Chemical: Pentachlorophenol
Acute criterion: 20 ug/l
Date criteria derived: national
criterion, September 1986
Applicable waterbodies:

Chronic criterion: 13 ug/l

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

Not used during this period.

Chemical: Phenanthrene
Acute criterion: 46 ug/l
Date criteria derived: October 26, 1992
Applicable waterbodies:

CAS #85-01-8
Chronic criterion: 3.7 ug/l

Not used during this period.

Chemical: Pyrene
Human health criterion (HTC): 3,500 ug/l
Date criteria derived: December 22, 1992
Applicable waterbodies:

CAS #120-00-0

Not used during this period.

Chemical: Tetrachloroethylene
Acute criterion: 1,220 ug/l
Date criteria derived: March 23, 1992
Applicable waterbodies:

CAS #127-18-4
Chronic criterion: 152 ug/l

Not used during this period.

Chemical: Tetrahydrofuran
Acute criterion: 216,000 ug/l
Date criteria derived: March 16, 1992
Applicable waterbodies:

CAS #109-99-9
Chronic criterion: 17,300 ug/l

Not used during this period.

Chemical: Toluene
Acute criterion: 1,300 ug/l
Date criteria derived: August 16, 1990,
revised May 17, 1991, January 26, 1993
and January 14, 1999
Applicable waterbodies:

CAS #108-88-3
Chronic criterion: 110 ug/l

07090005-0054/off Kent Creek
07120004-0010/off DesPlaines River
07120004-0033/off Willow Creek
07130003-0018/off Illinois River

Chemical: 1,2,4-trichlorobenzene
Acute criterion: 353 ug/l
Date criteria derived: December 14, 1993

CAS #120-82-1
Chronic criterion: 69.2 ug/l

ENVIRONMENTAL PROTECTION AGENCY

ENVIRONMENTAL PROTECTION AGENCY

NOTICE OF PUBLIC INFORMATION

NOTICE OF PUBLIC INFORMATION

LISTING OF DERIVED WATER QUALITY CRITERIA

LISTING OF DERIVED WATER QUALITY CRITERIA

Applicable waterbodies:

217/782-3362

Not used during this period.

Chemical: 1,1,1-trichloroethane

CAS #71-55-6

Acute criterion: 4,910 ug/l
Date criteria derived: October 26, 1992

Chronic criterion: 393 ug/l

Applicable waterbodies:

Not used during this period.

Chemical: 1,1,2-trichloroethane

CAS #79-00-5

Acute criterion: 19,000 ug/l
Human health criterion (HNC): 12 ug/l
Date criteria derived: December 13, 1993

Chronic criterion: 3,540 ug/l

Applicable waterbodies:

Not used during this period.

Chemical: Trichloroethylene

CAS #79-01-6

Acute criterion: 11,700 ug/l
Date criteria derived: October 23, 1992

Chronic criterion: 940 ug/l

Applicable waterbodies:

Not used during this period.

Chemical: Xylenes

CAS # 1330-20-7

Acute criterion: 1,500 ug/l
Date criteria derived: August 23, 1990,
revised January 14, 1999

Chronic criterion: 120 ug/l

Applicable waterbodies:

07090005-0054/off Kent Creek

07120004-0010/off DesPlaines River

07120004-0033/off Willow Creek

07130003-0018/off Illinois River

For additional information concerning these criteria or the derivation process used in generating them, please contact:

Bob Mosher

Illinois Environmental Protection Agency
Division of Water Pollution Control
1021 North Grand Avenue East
Post Office Box 19276

Springfield, Illinois 62794-9276

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of May 23, 2000 through May 30, 2000 and have been scheduled for review by the Committee at its June 13, 2000 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

<u>Second Notice Expires</u>	<u>Agency and Rule</u>	<u>Start Of First Notice</u>	<u>JCAR Meeting</u>
7/7/00	Department of Public Health, Aids Drug Assistance Program (77 Ill Adm Code 692)	8/6/99 23 Ill Reg 8769	6/13/00
7/8/00	Department of Natural Resources, Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping (17 Ill Adm Code 570)	3/31/00 24 Ill Reg 5142	6/13/00
7/8/00	Department of Natural Resources, Dove Hunting (17 Ill Adm Code 730)	4/7/00 24 Ill Reg 5817	6/13/00
7/8/00	Department of Natural Resources, The Taking of Wild Turkeys-Fall Archery Season (17 Ill Adm Code 720)	4/7/00 24 Ill Reg 5829	6/13/00
7/8/00	Department of Natural Resources, The Taking of Wild Turkeys & Fall Gun Season (17 Ill Adm Code 715)	4/7/00 24 Ill Reg 5841	6/13/00
7/8/00	Department of Natural Resources, White-Tailed Deer Hunting by Use of Handguns (17 Ill Adm Code 680)	4/7/00 24 Ill Reg 5850	6/13/00
7/8/00	State Board of Education, Special Education (23 Ill Adm Code 226)	9/3/99 23 Ill Reg 10693	6/13/00
7/8/00	State Board of Education, Repeal of Special Education (23 Ill Adm. Code 226)	9/3/99 23 Ill Reg 10617	6/13/00

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

7/9/00	Department of Public Health, Plumbers Licensing Code (68 Ill Adm Code 750)	3/3/00 24 Ill Reg 3480	6/13/00
7/9/00	Department of Public Health, Lead Poisoning Prevention Code (77 Ill Adm Code 845)	8/6/99 23 Ill Reg 8775	6/13/00
7/9/00	Department of Human Services, Administration of Social Service Programs (89 Ill Adm Code 130)	3/17/00 24 Ill Reg 3993	6/13/00
7/13/00	Department of Human Services, Repeal of Purchasing (44 Ill Adm Code 1175)	4/7/00 24 Ill Reg 5814	6/13/00

2000-10

Executive Order Creating the Illinois Terrorism Task Forces;

WHEREAS, the State of Illinois is committed to protecting the lives and property of citizens and visitors to our State; and

WHEREAS, the threat of terrorism committed by domestic and international individuals and groups affects the well-being of all our citizens; and

WHEREAS, the United States Government has taken steps to organize federal agencies to plan, train and respond to terrorist threats and events; and

WHEREAS, the United States Congress has appropriated funding to allow State, regional and local agencies to prepare for and respond to such crises; and

WHEREAS, centralized coordination and communication between response entities at the State, regional and local levels are paramount to ensuring the safety for our citizens,

THEREFORE, I, George H. Ryan, hereby order the following:

I. The creation of the Illinois Terrorism Task Force to be chaired by the Director of the Illinois Emergency Management Agency and comprised of the directors of the Illinois Environmental Protection Agency, the Illinois Law Enforcement Training and Standards Board, the Illinois Department of Military Affairs, the Illinois Department of Nuclear Safety, the Illinois Department of Public Health, the Illinois Office of State Fire Marshal, the Illinois Department of State Police along with representatives from the Illinois Attorney General, the Illinois Secretary of State Police, the American Red Cross and the Illinois Fire Service Institute.

II. The Illinois Terrorism Task Force shall seek appropriate input from federal agencies such as the United States Department of Justice, the Federal Bureau of Investigation and the Federal Emergency Management Agency, as well as seek counsel from local agencies and public safety representative bodies such as the Illinois Association of Chiefs of Police, the Illinois Sheriffs Association, the Illinois Fire Chiefs Association, and the Illinois Emergency Services Management Association.

III. The Illinois Terrorism Task Force shall be responsible for developing and implementing appropriate training of local, regional and State responders who may be involved in responding to a terrorist incident that could include a conventional, chemical, biological or nuclear weapon.

IV. The Illinois Terrorism Task Force shall be responsible for developing a rapid response force to be deployed to a terrorist threat or event to assist local responders and coordinate additional State resources that may be needed. The Illinois Terrorism Task Force shall develop appropriate protocol, staffing, training and equipment guidelines for such a team.

V. The Illinois Terrorism Task Force shall be responsible for identifying any needed changes in Illinois State Statutes or the Illinois

Emergency Operations Plan to accomplish their established objectives.

VI. The Illinois Emergency Management Agency, with advice from the Illinois Terrorism Task Force or State Terrorism Advisory Board, shall be responsible for applying for and accepting all appropriate federal funding that relates to combating terrorism.

VII. The Illinois Terrorism Task Force shall develop further recommendations to combat terrorism in Illinois.

VIII. The creation of the State Terrorism Advisory Board to advise the Governor, the Attorney General and the Secretary of State on the threat of terrorism in Illinois and to continue to implement the recommendations of the Illinois Terrorism Task Force. The State Terrorism Advisory Board shall replace the Illinois Terrorism Task Force on January 1, 2001. The Illinois Terrorism Task Force shall recommend to the Governor the proposed composition of the permanent State Terrorism Advisory Board.

IX. The final report shall be due to the Governor's Office no later than December 31, 2000.

This Executive Order Number 10 (2000) shall be effective upon filing at the Secretary of State.

Issued by the Governor May 16, 2000.

Filed with the Secretary of State May 16, 2000.

2000-11

EXECUTIVE ORDER**CREATING THE ILLINOIS MAIN STREET COUNCIL**

WHEREAS, the Illinois Main Street Program is based on the National Historic Trust's trademarked Main Street Four Point Approach which endeavors:

1. To build downtown management organizations;
2. To enhance the appearance of downtown areas through historic preservation;
3. To promote a unified, quality image that will bring people to downtown areas;
4. To retain and strengthen existing downtown businesses and recruit appropriate new businesses; and

WHEREAS, the Lieutenant Governor's Office created the Illinois Main Street Program in May 1993 to offer small rural and suburban communities technical assistance and hands on training for reviving their downtown areas; and

WHEREAS, the Lieutenant Governor's Office remains dedicated to fostering the growth of the Illinois Main Street Program to increase the economic, social, physical and historical value of downtown areas and to improve the quality of life in Illinois' communities; and

WHEREAS, the Illinois Department of Commerce and Community Affairs was given the responsibility to administer the Illinois Main Street Program as a separate and distinct program within the Department in July 1999; and

WHEREAS, the Lieutenant Governor's Office and the Illinois Department of Commerce and Community Affairs have agreed to work cooperatively and are collaborating to preserve and expand the integrity of the program through the creation of the Illinois Main Street Council.

THEREFORE, I, George H. Ryan, hereby order the following:

There is created the Illinois Main Street Council.

The membership of the Council shall be composed of:

The Lieutenant Governor, who shall be the chairperson of the Council, the Director of the Department of Commerce and Community Affairs, who shall serve as ex-officio member of the Council, and nine other persons appointed by the Governor, including representatives of the Department of Commerce and Community Affairs and the Illinois Historic Preservation Agency, and others who have demonstrated an interest in downtown economic redevelopment and historic preservation.

The Chairperson shall:

1. Preside over meetings of the Council which shall be held quarterly each year.
2. Actively promote the Main Street Program as the Official Spokesperson for the program at all Main Street events including the Lieutenant Governor's Award for Excellence in Downtown Revitalization.

The Council shall:

1. Develop a strategic plan for the Illinois Main Street Program.
2. Review and recommend all new Main Street Communities.
3. Review materials for public consumption and shall disseminate them collaboratively with the Lieutenant Governor's Office and DCCA.
4. Advise the Director of the Department of Commerce and Community Affairs on matters relating to the Illinois Main Street Program.
5. Approve and award the Lieutenant Governor's Award for Excellence in Downtown Revitalization on an annual basis.
6. Adopt by-laws governing the organization and administration of the Council which must be approved by a simple majority of the Council.
7. Issue an Annual Report on the Illinois Main Street Program no later than August 1 each year to the Governor and General Assembly.

This Executive Order Number 11 (2000) shall become effective upon filing with the Secretary of State.

Issued by the Governor May 18, 2000.

Filed with the Secretary of State May 18, 2000.

PROCLAMATIONS

2000-278

AMATEUR RADIO AWARENESS MONTH

WHEREAS, the State of Illinois has more than 23,000 licensed Amateur Radio operators, also known as Hams, and 63 Amateur Radio clubs, putting Illinois among the top five states in terms of the number of Hams; and

WHEREAS, Hams have demonstrated their value in public assistance by providing emergency radio communications; and

WHEREAS, after disasters, Hams aid communication efforts among emergency officials by operating organized communication networks; and

WHEREAS, the Amateur Radio Emergency Service has formal agreements with the Federal Emergency Management Agency, the National Communications System, the American Red Cross, the Salvation Army, the National Weather Service and the Association of Public Safety Communications Officials; and

WHEREAS, over the years, Amateur Radio has contributed to technology by developing early mobile gear for automobiles and aircraft, developing the use of frequencies beyond the High Frequency bands, developing early packet radio networks, building the first civilian communications satellite, pioneering the use of inexpensive "microsats", experimenting with the use of the Single Sideband mode and experimenting in digital signal processing circuitry and software; and

WHEREAS, this year's Amateur Radio Field Day will take place on June 24-25, 2000;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 2000 as AMATEUR RADIO AWARENESS MONTH in Illinois.

Issued by the Governor May 11, 2000.

Filed by the Secretary of State May 23, 2000.

2000-279

FALLEN FIREFIGHTER MEMORIAL DAY

WHEREAS, the Illinois Firefighter Memorial is a reality; and
WHEREAS, it stands on the lawn of the Illinois State Capitol and symbolizes our gratitude to the men and women who risk their lives everyday to protect people and their property; and

WHEREAS, at the site of the memorial, final respects will be paid to the three firefighters who lost their lives in the line of duty in 1999; and

WHEREAS, the Firefighting Medal of Honor Committee offers every fire department the opportunity to be part of this honored event; and

WHEREAS, immediately following the ceremony, the Medal of Honor Committee will honor some of the bravest and most heroic firefighters in Illinois during the Seventh Annual Firefighting Medal of Honor Awards Ceremony at the State of Illinois Armory Building; and

WHEREAS, members, families and friends of the Illinois fire services are invited and encouraged to attend the Fallen Firefighter Memorial Service on Friday, May 19, 2000;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 19, 2000, as FALLEN FIREFIGHTER MEMORIAL DAY in Illinois.

Issued by the Governor May 11, 2000.

Filed by the Secretary of State May 23, 2000.

2000-280

JOHN H. BRYAN DAY

WHEREAS, since 1979, the MERIT Music Program has been providing music instruction to Chicago's youth, especially economically disadvantaged children. MERIT has helped more than 30,000 children find a sense of purpose through the study and love of music; and

WHEREAS, this year, the MERIT Music Program will recognize John H. Bryan who is a member of MERIT's Business Advisory Council, and has received accolades for his outstanding commitment to the arts and to MERIT; and

WHEREAS, Mr. Bryan's leadership has furthered arts organizations large and small, both in Chicago and nationwide; and

WHEREAS, John H. Bryan has chaired or shared leadership responsibilities for numerous capital fundraising efforts including The Art Institute of Chicago, to Goodman Theatre, and the \$100 million campaign to renovate facilities for the Chicago Symphony Orchestra and Lyric Opera of Chicago. Mayor Richard M. Daley recently appointed Mr. Bryan the chairman of a private development project to build a \$250 million Millennium Park on Chicago's lakefront; and

WHEREAS, friends of John Bryan have come together to recognize his good works, including Gala Chairman Edgar D. Jannotta, and Gala Honorary Chairman Richard L. Thomas, Retired Chairman, First Chicago NBD Corporation; and

WHEREAS, on Friday, June 9, 2000, John H. Bryan will be awarded the Alice S. Pfaelzer Award for Distinguished Service to the Arts during MERIT's annual gala benefit at the Four Seasons Hotel;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim June 9, 2000, as JOHN H. BRYAN DAY in Illinois.

Issued by the Governor May 11, 2000.

Filed by the Secretary of State May 23, 2000.

2000-281

THE RESURRECTION PROJECT DAY

WHEREAS, The Resurrection Project (TRP), founded by a coalition of Pilsen churches on May 22, 1990, is an institution-based neighborhood organization whose mission is to build relationships and challenge people to act on their faith and values to create healthy communities through organizing, education, and community development; and

WHEREAS, TRP has 14 institutional members including Assumption, Epiphany, Good Shepherd, Holy Cross/IMM, Holy Trinity, Our Lady of Tepeyac, Providence of God, St. Albert, St. Agnes, St. Ann, St. Paul, St. Pius V, St. Procopius, and St. Roman; and

WHEREAS, The Resurrection Project primarily serves the Latino communities of Pilsen, Little Village, and Back of the Yards; and

WHEREAS, The Resurrection Project has built 117 new homes in Pilsen and Little Village for low and moderate income families. The Resurrection Project educates families on property ownership issues and facilitates investment by residents and financial institutions into the community. TRP staff provides home owner education, client counseling, loan packaging assistance, and oversees the marketing and sales for its New Homes program; and

WHEREAS, to date, The Resurrection Project has generated more than \$25

million in community investment; and

WHEREAS, on May 20, 2000, The Resurrection Project will celebrate its 10th anniversary;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 20, 2000, as THE RESURRECTION PROJECT DAY in Illinois.

Issued by the Governor May 11, 2000.

Filed by the Secretary of State May 23, 2000.

2000-282

GRAMMY GOLD SIGNATURE SCHOOL DAY

WHEREAS, the GRAMMY Foundation, a non-profit arm of the National Academy of Recording Arts and Sciences, is dedicated to advancing music and arts-based education across the country and ensuring success to America's rich cultural legacy. An arc of education and preservation programs and services strive to cultivate understanding, appreciation and advancement for the arts for all ages, from infants to the elderly; and

WHEREAS, through cultural, professional and educational initiatives, the Foundation aims to strengthen our educational system and our culture at large; and

WHEREAS, the GRAMMY Foundation mails applications to more than 18,000 public high schools from districts large and small, urban and rural, performing arts magnets and those with limited budgets, requesting information about the school's music programs which were submitted to an independent data compilation firm for processing; and

WHEREAS, this year, the GRAMMY Foundation announced that Nequa Valley High School has been named one of the top 10 in its GRAMMY Signature School programs; and

WHEREAS, with this recognition, Nequa Valley High School will receive a grant of \$5,000 to be applied to their music department; and

WHEREAS, on May 20, 2000, the Nequa Valley High School will be honored with the GRAMMY Gold Signature School Award;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 20, 2000, as GRAMMY GOLD SIGNATURE SCHOOL DAY in Illinois.

Issued by the Governor May 16, 2000.

Filed by the Secretary of State May 23, 2000.

2000-283

WNUR'S 50TH ANNIVERSARY DAY

WHEREAS, WNUR 89.3 FM radio, located at Northwestern University's Evanston campus, is among America's well-known university stations and will celebrate its 50th annual reunion at Annie May Swift Hall; and

WHEREAS, WNUR is unlike other college radio stations of its size, which are dominated by full-time employees and may receive programming from outside sources; and

WHEREAS, WNUR is entirely student-run, continuing a 50-year tradition of independence, creativity, resourcefulness and leadership; and

WHEREAS, tomorrow's communication leaders will need the kind of skills, talents, and independent thinking that WNUR has always fostered; and

WHEREAS, WNUR's programming offers a voice to many communities that have no other media outlet and provides a strong showcase for new music media genres

and trends that no other stations follow; and

WHEREAS, WNUR broadcasts a weekly public affairs show titled FEEDBACK which discusses issues of interest to Evanstonians and the community; and

WHEREAS, WNUR features diverse cultural shows, airs seven newscasts daily, and has had the 5 p.m. newscast named the best college news show for the fourth year in a row;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 27, 2000, as WNUR'S 50th ANNIVERSARY DAY in Illinois.

Issued by the Governor May 16, 2000.

Filed by the Secretary of State May 23, 2000.

2000-284

MISSING CHILDREN'S DAY

WHEREAS, the children of today are our citizens of tomorrow. Our children are the nation's most valuable asset. They are our link to the future. Their protection and safety must be one of our highest priorities; and

WHEREAS, there are currently more than 63,000 missing children in the United States. There are 1,815 missing children in the State of Illinois. Locating and safely returning these children to their homes is a statewide, national and international objective. In addition to the already existing crimes against children, we now have a serious additional threat due to the expansion of Internet technology, and;

WHEREAS, the Interstate Enforcement Agencies to Recover Children (I-Search) Council, which consists of the following states: Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, North Dakota, Ohio and Wisconsin; along with criminal justice officials, missing children's organizations, and concerned citizens throughout America, are joining together to observe May 25th as Missing Children's Day;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 25, 2000, as MISSING CHILDREN'S DAY in Illinois.

Issued by the Governor May 17, 2000.

Filed by the Secretary of State May 23, 2000.

2000-285

STATE DIALOGUE ON POVERTY DAY

WHEREAS, Community Action Agencies were created as a result of the Economic Opportunity Act of 1964 and have a 36-year history of promoting self-sufficiency to those individuals with limited income; and

WHEREAS, Community Action Agencies have made an essential contribution to individuals and families in Illinois, by providing them with innovative and cost-effective programs; and

WHEREAS, Community Action Agencies act as major participants in the reform of the welfare system as we know it and Illinois residents have benefited from the state's partnership with the Illinois Community Action Association and its 40 member agencies; and

WHEREAS, those with limited income continue to need opportunities to improve their lives and their living conditions, thus ensuring that all citizens are able to live in dignity; and

WHEREAS, the Illinois Community Action Association will host its Annual

Membership Conference on May 21-23, 2000 and the Illinois State Dialogue on Poverty on May 22, 2000;

THEREFORE, I, George H. Ryan, Governor of the State of Illinois, proclaim May 22, 2000, as STATE DIALOGUE ON POVERTY DAY in Illinois.

Issued by the Governor May 17, 2000.

Filed by the Secretary of State May 23, 2000.

JOINT COMMITTEE ON ADMINISTRATIVE RULES

JAMES R. THOMPSON CENTER
ROOM 16-504
CHICAGO, ILLINOIS
10:30 A.M.
JUNE 13, 2000

NOTICES: Due to Register submittal deadlines, the Agenda below may be incomplete. Other items not contained in this published Agenda are likely to be considered by the Committee at the meeting.

It is the policy of the Committee to allow only representatives of State agencies to testify orally on any rule under consideration at Committee hearings. If members of the public wish to express their views with respect to a proposed rule, they should submit written comments to the Office of the Joint Committee on Administrative Rules at the following address:

*Joint Committee on Administrative Rules
700 Stratton Office Building
Springfield, Illinois 62706*

RULEMAKINGS SCHEDULED FOR JCAR REVIEW

The following rulemakings are scheduled for review at this meeting. JCAR staff may be proposing action with respect to some of these rulemakings. JCAR members may have questions concerning, and may initiate action with respect to, any item scheduled for JCAR review and any other issues within the Committee's purview.

PROPOSED RULEMAKINGS

Central Management Services

1. Pay Plan (80 Ill Adm Code 310)
-First Notice Published: 24 Ill Reg 4292 - 3/24/00
-Expiration of Second Notice: 6/25/00

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDACommerce Commission

2. Pay Telephone Providers (83 Ill Adm Code 771)
-First Notice Published: 23 Ill Reg 11790 - 10/1/99
-Expiration of Second Notice: 6/14/00

Education

3. Repeal of Special Education (23 Ill Adm Code 226)
-First Notice Published: 23 Ill Reg 10617 - 9/3/99
-Expiration of Second Notice: 7/8/00

4. Special Education (23 Ill Adm Code 226)
-First Notice Published: 23 Ill Reg 10693 - 9/3/99
-Expiration of Second Notice: 7/8/00

Human Services

5. Public Information, Rulemaking, Department Organization (2 Ill Adm Code 1175)
-First Notice Published: 24 Ill Reg 2573 - 2/18/00
-Expiration of Second Notice: 6/28/00

6. Access to Public Records (2 Ill Adm Code 1176)
-First Notice Published: 24 Ill Reg 2551 - 2/18/00
-Expiration of Second Notice: 6/28/00

7. Repeal of Purchasing (44 Ill Adm Code 1175)
-First Notice Published: 24 Ill Reg 5814 - 4/7/00
-Expiration of Second Notice: 7/13/00

8. Food Stamps (89 Ill Adm Code 121)
-First Notice Published: 24 Ill Reg 3726 - 3/10/00
-Expiration of Second Notice: 6/18/00

9. Administration of Social Service Programs (89 Ill Adm Code 130)
-First Notice Published: 24 Ill Reg 3993 - 3/17/00
-Expiration of Second Notice: 7/9/00

10. Service Planning and Provision (89 Ill Adm Code 684)
-First Notice Published: 24 Ill Reg 4004 - 3/17/00
-Expiration of Second Notice: 6/23/00

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDA

Insurance

11. Annual Privilege Tax (50 Ill Adm Code 2510)
-First Notice Published: 24 Ill Reg 420 – 1/14/00
-Expiration of Second Notice: 6/22/00
12. Annual Retaliatory Tax (50 Ill Adm Code 2515)
-First Notice Published: 24 Ill Reg 424 – 1/14/00
-Expiration of Second Notice: 6/22/00
13. Overpayments, Refunds, Amendments and Penalties (50 Ill Adm Code 2525)
-First Notice Published: 24 Ill Reg 431 – 1/14/00
-Expiration of Second Notice: 6/22/00
14. Managed Care Reform and Patient Rights (50 Ill Adm Code 5420)
-First Notice Published: 24 Ill Reg 4008 – 3/17/00
-Expiration of Second Notice: 6/16/00

Natural Resources

15. Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote and Woodchuck (Groundhog) Hunting (17 Ill Adm Code 550)
-First Notice Published: 24 Ill Reg 5151 – 3/31/00
-Expiration of Second Notice: 6/30/00
16. Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Badger, Beaver and Woodchuck (Groundhog) Trapping (17 Ill Adm Code 570)
-First Notice Published: 24 Ill Reg 5142 – 3/31/00
-Expiration of Second Notice: 7/8/00
17. White-Tailed Deer Hunting by Use of Handguns (17 Ill Adm Code 680)
-First Notice Published: 24 Ill Reg 5850 – 4/7/00
-Expiration of Second Notice: 7/8/00
18. The Taking of Wild Turkeys – Fall Gun Season (17 Ill Adm Code 715)
-First Notice Published: 24 Ill Reg 5841 – 4/7/00
-Expiration of Second Notice: 7/8/00

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDA

19. The Taking of Wild Turkeys – Fall Archery Season (17 Ill Adm Code 720)
-First Notice Published: 24 Ill Reg 5829 – 4/7/00
-Expiration of Second Notice: 7/8/00
20. Dove Hunting (17 Ill Adm Code 730)
-First Notice Published: 24 Ill Reg 5817 – 4/7/00
-Expiration of Second Notice: 7/8/00
21. White-Tailed Deer Hunting by Use of Firearms (17 Ill Adm Code 650)
-First Notice Published: 24 Ill Reg 5169 – 3/31/00
-Expiration of Second Notice: 6/30/00
22. Squirrel Hunting (17 Ill Adm Code 690)
-First Notice Published: 24 Ill Reg 5160 – 3/31/00
-Expiration of Second Notice: 6/30/00
23. Crow, Woodcock, Snipe, Rail and Teal Hunting (17 Ill Adm Code 740)
-First Notice Published: 24 Ill Reg 5132 – 3/31/00
-Expiration of Second Notice: 6/30/00
24. General Hunting and Trapping on Department-Owned or –Managed Sites (17 Ill Adm Code 510)
-First Notice Published: 24 Ill Reg 4031 – 3/17/00
-Expiration of Second Notice: 6/16/00
25. Commercial Fishing in Lake Michigan (17 Ill Adm Code 850)
-First Notice Published: 24 Ill Reg 4025 – 3/17/00
-Expiration of Second Notice: 6/16/00
Public Aid
26. Rights and Responsibilities (89 Ill Adm Code 102)
-First Notice Published: 24 Ill Reg 3474 – 3/3/00
-Expiration of Second Notice: 6/17/00
27. Medical Payment (89 Ill Adm Code 140)
-First Notice Published: 24 Ill Reg 4071 – 3/17/00
-Expiration of Second Notice: 7/1/00

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDA

28. Repeal of Demonstration Programs (89 Ill Adm Code 170)
-First notice Published: 24 Ill Reg 4037 - 3/17/00
-Expiration of Second Notice: 7/1/00

Public Health

29. Plumbers Licensing Code (68 Ill Adm Code 750)
-First Notice Published: 24 Ill Reg 3480 - 3/3/00
-Expiration of Second Notice: 7/9/00
30. Aids Drug Assistance Program (77 Ill Adm Code 692)
-First Notice Published: 23 Ill Reg 8769 - 8/6/99
-Expiration of Second Notice: 7/7/00

31. Lead Poisoning Prevention Code (77 Ill Adm Code 845)
-First Notice Published: 23 Ill Reg 8775 - 8/6/99
-Expiration of Second Notice: 7/9/00

32. The Illinois Water Well and Pump Installation Contractor's License Code (77 Ill Adm Code 915)
-First Notice Published: 24 Ill Reg 3730 - 3/10/00
-Expiration of Second Notice: 6/14/00

33. Illinois Water Well Construction Code (77 Ill Adm Code 920)
-First Notice Published: 23 Ill Reg 10115 - 8/27/99
-Expiration of Second Notice: 6/15/00

Revenue

34. Retailers' Occupation Tax (86 Ill Adm Code 130)
-First Notice Published: 24 Ill Reg 2616 - 2/18/00
-Expiration of Second Notice: 6/29/00
35. Automobile Renting Occupation Tax (86 Ill Adm Code 180)
-First Notice Published: 24 Ill Reg 3092 - 2/25/00
-Expiration of Second Notice: 6/18/00
36. Cigarette Tax Act (86 Ill Adm Code 440)
-First Notice Published: 24 Ill Reg 3096 - 2/25/00
-Expiration of Second Notice: 6/14/00

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDA

37. Cigarette Use Tax Act (86 Ill Adm Code 450)
-First Notice Published: 24 Ill Reg 3102 - 2/25/00
-Expiration of Second Notice: 6/14/00

Transportation

38. Minimum Safety Standards for Construction of Type I School Buses (92 Ill Adm Code 440)
-First Notice Published: 24 Ill Reg 4930 - 3/24/00
-Expiration of Second Notice: 6/23/00

39. Inspection Procedures for Type I School Buses (92 Ill Adm Code 441)
-First Notice Published: 24 Ill Reg 4928 - 3/24/00
-Expiration of Second Notice: 6/23/00

University of Illinois

40. Relocation Assistance (71 Ill Adm Code 2400)
-First Notice Published: 24 Ill Reg 2646 - 2/18/00
-Expiration of Second Notice: 6/25/00

EMERGENCY AND PEREMPTORY RULEMAKINGSBanks and Real Estate

41. Savings Bank Act (38 Ill Adm Code 1075) (Emergency)
-Notice Published: 24 Ill Reg 6986 - 5/5/00

Commerce Commission

42. Approval of Negotiated Agreements (83 Ill Adm Code 763) (Emergency)
-Notice Published: 24 Ill Reg 7870 - 6/2/00
43. Approval or Rejection of Arbitrated Agreements (83 Ill Adm Code 762) (Emergency)
-Notice Published: 24 Ill Reg 7881 - 6/2/00
44. Arbitration Practice (83 Ill Adm Code 761) (Emergency)
-Notice Published: 24 Ill Reg 7892 - 6/2/00
45. Rules of Practice (83 Ill Adm Code 200) (Emergency)
-Notice Published: 24 Ill Reg 7903 - 6/2/00

JOINT COMMITTEE ON ADMINISTRATIVE RULES
JUNE AGENDA

46. Telecommunications Enforcement (83 Ill Adm Code 766) (Emergency)
-Notice Published: 24 Ill Reg 7917 - 6/2/00

Insurance

47. Mortgage Guaranty Insurance (50 Ill Adm Code 202) (Emergency)
-Notice Published: 24 Ill Reg 7557 - 5/19/00

University of Illinois

48. Program Content and Guidelines for Division of Specialized Care For Children (89 Ill Adm Code 1200) (Emergency)
-Notice Published: 24 Ill Reg 7414 - 5/12/00

AGENCY RESPONSE

Human Services

49. Related Program Provisions (89 Ill Adm Code 117)

Rules acted upon during the calendar quarter from Issue 17 through Issue 29 are listed in the Issues Index by Title number, Part number and issue number. For example, 50 Ill. Adm. Code 2500 published in Issue 1 will be listed as 50-2500-1. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jnatale@cgstate.sos.state.il.us on the Internet.

PROPOSED

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2-2251-20 86-720-24
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2-1200-19,23 89-336-22
4-300-21 89-356-22
8-125-20 89-679-17
8-250-20 89-682-22
11-306-20 89-686-21
11-321-20 92-1000-19
11-510-20 92-1030-19
11-1312-20
11-1413-20
14-130-20
14-527-19
17-670-19
17-710-24
20-1200-19
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23-350-20
23-350-20
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32-326-24
32-330-24
35-680-20
44-980-18
50-4404-20
56-260-19
59-111-22
59-299-17
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68-1283-20
68-1370-20
68-1375-20
77-220-18
77-250-17
77-591-21
77-591-21
77-970-21
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80-3000-22
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86-220-24
86-230-24
86-280-24
86-295-24
86-420-24
86-432-24

EMERGENCY

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38-1075-19
50-202-21
83-200-23
83-761-23
83-762-23
83-763-23
83-766-23
89-50-17
89-117-18
89-590-18
89-1200-20
92-1060-23

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